



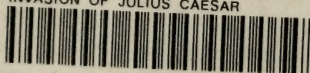
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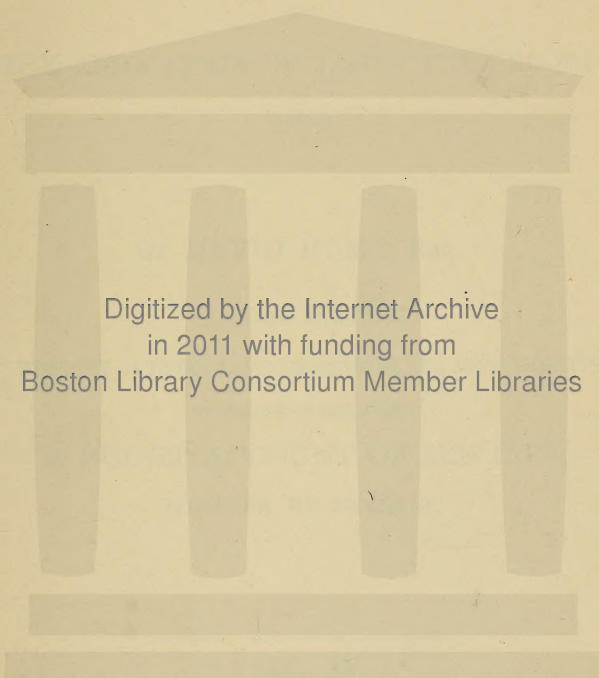






# HISTORY OF ENGLAND

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THE  
HISTORY OF ENGLAND

FROM  
THE INVASION OF JULIUS CÆSAR  
TO  
THE ABDICATION OF JAMES THE SECOND,  
1688.

By DAVID HUME, Esq.,  
5228  
A NEW EDITION,  
WITH THE AUTHOR'S LAST CORRECTIONS AND IMPROVEMENTS.  
TO WHICH IS PREFIXED  
A SHORT ACCOUNT OF HIS LIFE,  
WRITTEN BY HIMSELF.

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VOL. IV.

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PHILADELPHIA  
HENRY T. COATES & CO.

472  
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THE ABDICATION OF JAMES THE SECOND

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# HISTORY OF ENGLAND.

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## CHAPTER XLVII.

DEATH OF PRINCE HENRY.—MARRIAGE OF THE PRINCESS ELIZABETH WITH THE PALATINE.—RISE OF SOMERSET.—HIS MARRIAGE.—OVERBURY POISONED.—FALL OF SOMERSET.—RISE OF BUCKINGHAM.—CAUTIONARY TOWNS DELIVERED.—AFFAIRS OF SCOTLAND.

[1612.] THIS year the sudden death of Henry, Prince of Wales, diffused a universal grief throughout the nation. Though youth and royal birth, both of them strong allurements, prepossess men mightily in favor of the early age of princes, it is with peculiar fondness that historians mention Henry; and in every respect his merit seems to have been extraordinary. He had not reached his eighteenth year, and he already possessed more dignity in his behavior, and commanded more respect, than his father, with all his age, learning, and experience. Neither his high fortune nor his youth had seduced him into any irregular pleasures; business and ambition seem to have been his sole passion. His inclinations as well as exercises were martial. The French ambassador, taking leave of him, and asking his commands for France, found him employed in the exercise of the pike. "Tell your king," said he, "in what occupation you left me engaged."<sup>1</sup> He had conceived great affection and esteem for the brave Sir Walter Raleigh. It was his saying, "Sure no king but my father would keep such a bird in a cage."<sup>2</sup> He seems indeed to have nourished too

<sup>1</sup> The French monarch had given particular orders to his ministers to cultivate the prince's friendship, who must soon, said he, have chief authority in England, where the king and queen are held in so little estimation. See *Dép. de la Boderie*, vol. i. pp. 402, 415; vol. ii. pp. 16, 349.

<sup>2</sup> *Coke's Detection*, p. 37.



violent a contempt for the king on account of his pedantry and pusillanimity, and by that means struck in with the restless and martial spirit of the English nation. Had he lived, he had probably promoted the glory, perhaps not the felicity, of his people. The unhappy prepossession which men commonly entertain in favor of ambition, courage, enterprise, and other warlike virtues engages generous natures, who always love fame, into such pursuits as destroy their own peace and that of the rest of mankind.

Violent reports were propagated, as if Henry had been carried off by poison; but the physicians, on opening his body, found no symptoms to confirm such an opinion.<sup>3</sup> The bold and criminal malignity of men's tongues and pens spared not even the king on the occasion. But that prince's character seems rather to have failed in the extreme of facility and humanity than in that of cruelty and violence. His indulgence to Henry was great, and perhaps imprudent, by giving him a large and independent settlement, even in so early youth.

[1613.] The marriage of the Princess Elizabeth with Frederic, Elector Palatine, was finished some time after the death of the prince, and served to dissipate the grief which arose on that melancholy event. But this marriage, though celebrated with great joy and festivity, proved itself an unhappy event to the king as well as to his son-in-law, and had ill consequences on the reputation and fortunes of both. The elector, trusting to so great an alliance, engaged in enterprises beyond his strength; and the king, not being able to support him in his distress, lost entirely, in the end of his life, what remained of the affection and esteem of his own subjects.

Except during sessions of Parliament, the history of this reign may more properly be called the history of the court than that of the nation. An interesting object had for some years engaged the attention of the court; it was a favorite, and one beloved by James with so profuse and unlimited an affection as left no room for any rival or competitor. About the end of the year 1609, Robert Carre, a youth of twenty years of age, and of a good family in Scotland, arrived in London, after having passed some time in his travels. All his natural accomplishments consisted in good looks; all his acquired abilities, in an easy and graceful demeanor. He had letters of recommendation to his coun-

<sup>3</sup> Kennet, p. 690. Coke, p. 37. Welwood, p. 272.

tryman Lord Hay; and that nobleman no sooner cast his eye upon him than he discovered talents sufficient to entitle him immediately to make a great figure in the government. Apprised of the king's passion for youth and beauty and exterior appearance, he studied how matters might be so managed that this new object should make the strongest impression upon him. Without mentioning him at court, he assigned him the office, at a match of tilting, of presenting to the king his buckler and device, and hoped that he would attract the attention of the monarch. Fortune proved favorable to his design by an incident which bore at first a contrary aspect. When Carre was advancing to execute his office, his unruly horse flung him, and broke his leg in the king's presence. James approached him with pity and concern: love and affection arose on the sight of his beauty and tender years; and the prince ordered him immediately to be lodged in the palace, and to be carefully attended. He himself, after the tilting, paid him a visit in his chamber, and frequently returned during his confinement. The ignorance and simplicity of the boy finished the conquest begun by his exterior graces and accomplishments. Other princes have been fond of choosing their favorites from among the lower ranks of their subjects, and have reposed themselves on them with the more unreserved confidence and affection because the object had been beholden to their bounty for every honor and acquisition: James was desirous that his favorite should also derive from him all his sense, experience, and knowledge. Highly conceited of his own wisdom, he pleased himself with the fancy that this raw youth, by his lessons and instructions, would in a little time be equal to his sagest ministers, and be initiated into all the profound mysteries of government, on which he set so high a value. And as this kind of creation was more perfectly his own work than any other, he seems to have indulged an unlimited fondness for his minion, beyond even that which he bore to his own children. He soon knighted him, created him Viscount Rochester, gave him the garter, brought him into the privy council, and, though at first without assigning him any particular office, bestowed on him the supreme direction of all his business and political concerns. Agreeable to this rapid advancement in confidence and honor were the riches heaped upon the needy favorite; and while Salisbury and all the wisest ministers could scarcely find expedients sufficient to keep

in motion the overburdened machine of government, James, with unsparing hand, loaded with treasures this insignificant and useless pageant.<sup>4</sup>

It is said the king found his pupil so ill educated as to be ignorant even of the lowest rudiments of the Latin tongue; and that the monarch, laying aside the sceptre, took the birch into his royal hand, and instructed him in the principles of grammar. During the intervals of this noble occupation, affairs of state would be introduced; and the stripling, by the ascendant which he had acquired, was now enabled to repay in political what he had received in grammatical instruction. Such scenes and such incidents are the more ridiculous, though the less odious, as the passion of James seems not to have contained in it anything criminal or flagitious. History charges herself willingly with a relation of the great crimes, and still more with that of the great virtues, of mankind; but she appears to fall from her dignity when necessitated to dwell on such frivolous events and ignoble personages.

The favorite was not, at first, so intoxicated with advancement as not to be sensible of his own ignorance and inexperience. He had recourse to the assistance and advice of a friend; and he was more fortunate in his choice than is usual with such pampered minions. In Sir Thomas Overbury he met with a judicious and sincere counsellor, who, building all hopes of his own preferment on that of the young favorite, endeavored to instil into him the principles of prudence and discretion. By zealously serving everybody, Carre was taught to abate the envy which might attend his sudden elevation; by showing a preference for the English, he learned to escape the prejudices which prevailed against his country; and so long as he was content to be ruled by Overbury's friendly counsels, he enjoyed, what is rare, the highest favor of the prince, without being hated by the people.

To complete the measure of courtly happiness, naught was wanting but a kind mistress; and where high fortune concurred with all the graces of youth and beauty, this circumstance could not be difficult to attain. But it was here the favorite met with that rock on which all his fortunes were wrecked, and which plunged him forever into an abyss of infamy, guilt, and misery.

No sooner had James mounted the throne of England

<sup>4</sup> Kennet, pp. 685, 686, etc.

than he remembered his friendship for the unfortunate families of Howard and Devereux, who had suffered for their attachment to the cause of Mary and to his own. Having restored young Essex to his blood and dignity, and conferred the titles of Suffolk and Northampton on two brothers of the house of Norfolk, he sought the further pleasure of uniting these families by the marriage of the Earl of Essex with Lady Frances Howard, daughter of the Earl of Suffolk. She was only thirteen, he fourteen years of age; and it was thought proper, till both should attain the age of puberty, that he should go abroad and pass some time in his travels.<sup>5</sup> He returned into England after four years' absence, and was pleased to find his countess in the full lustre of beauty, and possessed of the love and admiration of the whole court. But when the earl approached and claimed the privileges of a husband, he met with nothing but symptoms of aversion and disgust, and a flat refusal of any further familiarities. He applied to her parents, who constrained her to attend him into the country, and to partake of his bed; but nothing could overcome her rigid sullenness and obstinacy, and she still rose from his side without having shared the nuptial pleasures. Disgusted with reiterated denials, he at last gave over the pursuit, and, separating himself from her, thenceforth abandoned her conduct to her own will and discretion.

Such coldness and aversion in Lady Essex arose not without an attachment to another object. The favorite had opened his addresses, and had been too successful in making impression on the tender heart of the young countess.<sup>6</sup> She imagined that, so long as she refused the embraces of Essex, she never could be deemed his wife; and that a separation and divorce might still open the way for a new marriage with her beloved Rochester.<sup>7</sup> Though their passion was so violent, and their opportunities of intercourse so frequent, that they had already indulged themselves in all the gratifications of love, they still lamented their unhappy fate while the union between them was not entire and indissoluble; and the lover, as well as his mistress, was impatient until their mutual ardor should be crowned by marriage.

So momentous an affair could not be concluded without consulting Overbury, with whom Rochester was accustomed to share all his secrets. While that faithful friend had considered his patron's attachment to the Countess of Essex

<sup>5</sup> Kennet, p. 686.

<sup>6</sup> Kennet, p. 687.

<sup>7</sup> State Trials, vol. i. p. 228.



merely as an affair of gallantry, he had favored its progress, and it was partly owing to the ingenious and passionate letters which he dictated that Rochester had met with such success in his addresses. Like an experienced courtier, he thought that a conquest of this nature would throw a lustre on the young favorite, and would tend still further to endear him to James, who was charmed to hear of the amours of his court, and listened with attention to every tale of gallantry. But great was Overbury's alarm when Rochester mentioned his design of marrying the countess; and he used every method to dissuade his friend from so foolish an attempt. He represented how invidious, how difficult an enterprise to procure her a divorce from her husband; how dangerous, how shameful, to take into his own bed a profligate woman, who, being married to a young nobleman of the first rank, had not scrupled to prostitute her character, and to bestow favors on the object of a capricious and momentary passion; and, in the zeal of friendship, he went so far as to threaten Rochester that he would separate himself forever from him if he could so far forget his honor and his interest as to prosecute the intended marriage.<sup>8</sup>

Rochester had the weakness to reveal this conversation to the Countess of Essex; and when her rage and fury broke out against Overbury, he had also the weakness to enter into her vindictive projects, and to swear vengeance against his friend, for the utmost instance which he could receive of his faithful friendship. Some contrivance was necessary for the execution of their purpose. Rochester addressed himself to the king; and, after complaining that his own indulgence to Overbury had begotten in him a degree of arrogance which was extremely disagreeable, he procured a commission for his embassy to Russia, which he represented as a retreat for his friend both profitable and honorable. When consulted by Overbury, he earnestly dissuaded him from accepting this offer, and took on himself the office of satisfying the king, if he should be anywise displeased with the refusal.<sup>9</sup> To the king again he aggravated the insolence of Overbury's conduct, and obtained a warrant for committing him to the Tower, which James intended as a slight punishment for his disobedience. The lieutenant of the Tower was a creature of Rochester's, and had lately been put into the office for this very purpose; he confined Over-

<sup>8</sup> State Trials, vol. i. pp. 235, 236, 252. Franklyn, p. 14.

<sup>9</sup> State Trials, vol. i. pp. 236, 237, etc.



bury so strictly that the unhappy prisoner was debarred the sight even of his nearest relations, and no communication of any kind was allowed with him during near six months which he lived in prison.

This obstacle being removed, the lovers pursued their purpose; and the king himself, forgetting the dignity of his character and his friendship for the family of Essex, entered zealously into the project of procuring the countess a divorce from her husband. Essex also embraced the opportunity of separating himself from a bad woman, by whom he was hated, and he was willing to favor their success by any honorable expedient. The pretence for a divorce was his incapacity to fulfil the conjugal duties; and he confessed that, with regard to the countess, he was conscious of such an infirmity, though he was not sensible of it with regard to any other woman. In her place, too, it is said a young virgin was substituted, under a mask, to undergo a legal inspection by a jury of matrons. After such a trial, seconded by court influence, and supported by the ridiculous opinion of fascination or witchcraft, the sentence of divorce was pronounced between the Earl of Essex and his countess.<sup>10</sup> And, to crown the scene, the king, solicitous lest the lady should lose any rank by her new marriage, bestowed on his minion the title of Earl of Somerset.

Notwithstanding this success, the Countess of Somerset was not satisfied till she should further satiate her revenge on Overbury; and she engaged her husband, as well as her uncle, the Earl of Northampton, in the atrocious design of taking him off secretly by poison. Fruitless attempts were reiterated by weak poisons; but at last they gave him one so sudden and violent that the symptoms were apparent to every one who approached him.<sup>11</sup> His interment was hurried on with the greatest precipitation, and, though a strong suspicion immediately prevailed in the public, the full proof of the crime was not brought to light till some years after.

The fatal catastrophe of Overbury increased or begot the suspicion that the Prince of Wales had been carried off by poison given him by Somerset. Men considered not that the contrary inference was much juster. If Somerset was so great a novice in this detestable art that, during the course of five months, a man who was his prisoner, and attended by none but his emissaries, could not be despatched

<sup>10</sup> State Trials, vol. i. pp. 223, 224, etc. Franklyn's Annals, pp. 2, 3, etc.

<sup>11</sup> Kennet, p. 693. State Trials, vol. i. pp. 233, 234, etc.

but in so bungling a manner, how could it be imagined that a young prince, living in his own court, surrounded by his own friends and domestics, could be exposed to Somerset's attempts, and be taken off by so subtle a poison, if such a one exist, as could elude the skill of the most experienced physician?

The ablest minister that James ever possessed, the Earl of Salisbury, was dead; <sup>12</sup> Suffolk, a man of slender capacity, had succeeded him in his office; and it was now his task to supply, from an exhausted treasury, the profusion of James and of his young favorite. The title of baronet, invented by Salisbury, was sold, and two hundred patents of that species of knighthood were disposed of for so many thousand pounds. Each rank of nobility had also its price affixed to it; <sup>13</sup> privy seals were circulated to the amount of two hundred thousand pounds, benevolences were exacted to the amount of fifty-two thousand pounds, <sup>14</sup> and some monopolies of no great value were erected. But all these expedients proved insufficient to supply the king's necessities, even though he began to enter into some schemes for retrenching his expenses. <sup>15</sup> However small the hopes of success, a new Parliament must be summoned, and this dangerous expedient (for such it was now become) once more be put to trial.

[1614.] When the Commons were assembled, they discovered an extraordinary alarm on account of the rumor which had spread abroad concerning *undertakers*. <sup>16</sup> It was reported that several persons attached to the king had entered into a confederacy, and, having laid a regular plan for the new elections, had distributed their interest all over England, and had undertaken to secure a majority for the court. So ignorant were the Commons that they knew not this incident to be the first infallible symptom of any regular or established liberty. Had they been contented to follow the maxims of their predecessors, who, as the Earl of Salisbury said to the last Parliament, never but thrice in six hundred years refused a supply, <sup>17</sup> they needed not dread that the crown should ever interest itself in their elections.

<sup>12</sup> May 14, 1612.

<sup>13</sup> Franklyn, pp. 11, 33.

<sup>14</sup> Franklyn, p. 10.

<sup>15</sup> Franklyn, p. 49.

<sup>16</sup> Parliamentary History, vol. v. p. 286. Kennet, p. 696. Journal, April 12, May 2, 1614, etc. Franklyn, p. 48.

<sup>17</sup> Journal, February 17, 1609. It appears, however, that Salisbury was somewhat mistaken in this fact; and if the kings were not oftener refused supply by the Parliament, it was only because they would not often expose themselves to the hazard of being refused; but it is certain that English parliaments did anciently carry their frugality to an extreme, and seldom could be prevailed on to give the necessary support to government.

Formerly the kings even insisted that none of their household should be elected members; and though the charter was afterwards declared void, Henry VI., from his great favor to the city of York, conferred a peculiar privilege on its citizens, that they should be exempted from this trouble.<sup>18</sup> It is well known that in ancient times, a seat in the House being considered as a burden, attended neither with honor nor profit, it was requisite for the counties and boroughs to pay fees to their representatives. About this time a seat began to be regarded as an honor, and the country gentlemen contended for it; though the practice of levying wages for the Parliament was not altogether discontinued. It was not till long after, when liberty was thoroughly established, and popular assemblies entered into every branch of public business, that the members began to join profit to honor, and the crown found it necessary to distribute among them all the considerable offices of the kingdom.

So little skill or so small means had the courtiers in James's reign for managing elections that this House of Commons showed rather a stronger spirit of liberty than the foregoing, and instead of entering upon the business of supply, as urged by the king, who made them several liberal offers of grace,<sup>19</sup> they immediately resumed the subject which had been opened last Parliament, and disputed his majesty's power of levying new customs and impositions by the mere authority of his prerogative. It is remarkable that in their debates on this subject the courtiers frequently pleaded, as a precedent, the example of all the other hereditary monarchs in Europe, and particularly mentioned the Kings of France and Spain; nor was this reasoning received by the House either with surprise or indignation.<sup>20</sup> The members of the opposite party either contented themselves with denying the justness of the inference, or they disputed the truth of the observation;<sup>21</sup> and a patriot member in particular, Sir Roger Owen, even in arguing against the impositions, frankly allowed that the King of England was endowed with as ample a power and prerogative as any prince in Christendom.<sup>22</sup> The nations on the Continent, we may observe, enjoyed still, in that age, some small remains of liberty, and the English were possessed of little more.

The Commons applied to the Lords for a conference

<sup>18</sup> Coke's Institutes, pt. iv. ch. 1 of Charters of Exemption.

<sup>19</sup> Journal, April 11, 1614.

<sup>20</sup> Journal, May 21, 1614.

<sup>21</sup> Journal, May 12, 21, 1614.

<sup>22</sup> Journal, April 18, 1614.

with regard to the new impositions. A speech of Neile, Bishop of Lincoln, reflecting on the Lower House, begat some altercation with the Peers;<sup>23</sup> and the king seized the opportunity of dissolving, immediately, with great indignation, a Parliament which had shown so firm a resolution of retrenching his prerogative without communicating in return the smallest supply to his necessities. He carried his resentment so far as even to throw into prison some of the members who had been the most forward in their opposition to his measures.<sup>24</sup> In vain did he plead, in excuse for this violence, the example of Elizabeth and other princes of the line of Tudor, as well as Plantagenet. The people and the Parliament, without abandoning forever all their liberties and privileges, could acquiesce in none of these precedents, how ancient and frequent soever; and were the authority of such precedents admitted, the utmost that could be inferred is that the constitution of England was, at that time, an inconsistent fabric, whose jarring and discordant parts must soon destroy each other, and, from the dissolution of the old, beget some new form of civil government more uniform and consistent.

In the public and avowed conduct of the king and the House of Commons, throughout this whole reign, there appears sufficient cause of quarrel and mutual disgust; yet we are not to imagine that this was the sole foundation of that jealousy which prevailed between them. During debates in the House it often happened that a particular member, more ardent and zealous than the rest, would display the highest sentiments of liberty, which the Commons contented themselves to hear with silence and seeming approbation; and the king, informed of these harangues, concluded the whole House to be infected with the same principles, and to be engaged in a combination against his prerogative. The king, on the other hand, though he valued himself extremely on his kingcraft, and perhaps was not altogether incapable of dissimulation, seems to have been very little endowed with the gift of secrecy; but openly, at his table, in all companies, inculcated those monarchical tenets which he had so strongly imbibed. Before a numerous audience he had expressed himself with great disparagement of the common law of England, and had given the preference in the strongest terms to the civil law; and for this indiscretion he found himself obliged to apologize in a speech to the former

<sup>23</sup> See note [A] at the end of the volume.

<sup>24</sup> Kennet, p. 696.



Parliament.<sup>25</sup> As a specimen of his usual liberty of talk, we may mention a story, though it passed some time after, which we meet with in the life of Waller, and which that poet used frequently to repeat. When Waller was young he had the curiosity to go to court; and he stood in the circle and saw James dine, where, among other company, there sat at table two bishops, Neile and Andrews. The king proposed aloud this question, whether he might not take his subjects' money when he needed it without all this formality of Parliament? Neile replied, "God forbid you should not, for you are the breath of our nostrils." Andrews declined answering, and said he was not skilled in parliamentary cases; but upon the king's urging him, and saying he would admit of no evasion, the bishop replied pleasantly, "Why, then, I think your majesty may lawfully take my brother Neile's money for he offers it."<sup>26</sup>

[1615.] The favorite had hitherto escaped the inquiry of justice; but he had not escaped that still voice which can make itself be heard amid all the hurry and flattery of a court, and astonishes the criminal with a just representation of his most secret enormities. Conscious of the murder of his friend, Somerset received small consolation from the enjoyments of love or the utmost kindness and indulgence of his sovereign. The graces of his youth gradually disappeared, the gayety of his manners was obscured, his politeness and obliging behavior were changed into sullenness and silence. And the king, whose affections had been engaged by these superficial accomplishments, began to estrange himself from a man who no longer contributed to his amusement.

The sagacious courtiers observed the first symptoms of this disgust. Somerset's enemies seized the opportunity and offered a new minion to the king. George Villiers, a youth of one-and-twenty, younger brother of a good family, returned at this time from his travels, and was remarked for the advantages of a handsome person, genteel air, and fashionable apparel. At a comedy, he was purposely placed full in James's eye, and immediately engaged the attention, and in the same instant the affections, of that monarch.<sup>27</sup> Ashamed of his sudden attachment, the king endeavored, but in vain, to conceal the partiality which he felt for the handsome stranger; and he employed all his profound politics to fix him in his service without seeming to desire it.

<sup>25</sup> King James's Works, p. 532.

<sup>26</sup> Preface to Waller's Works.

<sup>27</sup> Franklyn, p. 50. Kennet, vol. ii. p. 698.



He declared his resolution not to confer any office on him unless entreated by the queen; and he pretended that it should only be in complaisance to her choice he would agree to admit him near his person. The queen was immediately applied to; but she well knowing the extreme to which the king carried these attachments, refused, at first, to lend her countenance to this new passion. It was not till entreated by Abbot, Archbishop of Canterbury, a decent prelate, and one much prejudiced against Somerset, that she would condescend to oblige her husband by asking this favor of him.<sup>28</sup> And the king, thinking now that all appearances were fully saved, no longer constrained his affection, but immediately bestowed the office of cup-bearer on young Villiers.

The whole court was thrown into parties between the two minions; while some endeavored to advance the rising fortunes of Villiers, others deemed it safer to adhere to the established credit of Somerset. The king himself, divided between inclination and decorum, increased the doubt and ambiguity of the courtiers; and the stern jealousy of the old favorite, who refused every advance of friendship from his rival, begat perpetual quarrels between their several partisans. But the discovery of Somerset's guilt in the murder of Overbury at last decided the controversy, and exposed him to the ruin and infamy which he so well merited.

An apothecary's 'prentice who had been employed in making up the poisons, having retired to Flushing, began to talk very freely of the whole secret; and the affair at last came to the ears of Trumbal, the king's envoy in the Low Countries. By his means, Sir Ralph Winwood, secretary of state, was informed, and he immediately carried the intelligence to James. The king, alarmed and astonished to find such enormous guilt in a man whom he had admitted into his bosom, sent for Sir Edward Coke, chief-justice, and earnestly recommended to him the most rigorous and unbiassed scrutiny. This injunction was executed with great industry and severity. The whole labyrinth of guilt was carefully unravelled. The lesser criminals—Sir Jervis Elvis (lieutenant of the Tower), Franklin, Weston, Mrs. Turner—were first tried and condemned. Somerset and his countess were afterwards found guilty. Northampton's death, a little before, had saved him from a like fate.

It may not be unworthy of remark that Coke, in the trial of Mrs. Turner, told her that she was guilty of the

<sup>28</sup> Coke, pp. 46, 47. Rushworth, vol. i. p. 456.

seven deadly sins. She was a whore, a bawd, a sorcerer, a witch, a Papist, a felon, and a murderer.<sup>29</sup> And what may more surprise us, Bacon, then attorney-general, took care to observe that poisoning was a popish trick.<sup>30</sup> Such were the bigoted prejudices which prevailed. Poisoning was not, of itself, sufficiently odious if it were not represented as a branch of popery. Stowe tells us that when the king came to Newcastle, on his first entry into England, he gave liberty to all the prisoners except those who were confined for treason, murder, and *papistry*. When one considers these circumstances, that furious bigotry of the Catholics which broke out in the gunpowder conspiracy appears the less surprising.

All the accomplices in Overbury's murder received the punishment due to their crime; but the king bestowed a pardon on the principals, Somerset and the countess. It must be confessed that James's fortitude had been highly laudable had he persisted in his first intention of consigning over to severe justice all the criminals; but let us still beware of blaming him too harshly if, on the approach of the fatal hour, he scrupled to deliver into the hands of the executioner persons whom he had once favored with his most tender affections. To soften the rigor of their fate, after some years' imprisonment, he restored them to their liberty, and conferred on them a pension, with which they retired, and languished out old age in infamy and obscurity. Their guilty loves were turned into the most deadly hatred; and they passed many years together in the same house without any intercourse or correspondence with each other.<sup>31</sup>

Several historians,<sup>32</sup> in relating these events, have insisted much on the dissimulation of James's behavior when he delivered Somerset into the hands of the chief-justice; on the insolent menaces of that criminal; on his peremptory refusal to stand a trial; and on the extreme anxiety of the king during the whole progress of this affair. Allowing all these circumstances to be true, of which some are suspicious, if not palpably false,<sup>33</sup> the great remains of tenderness which James still felt for Somerset may, perhaps, be sufficient to account for them. That favorite was high-spirited, and resolute rather to perish than live under the infamy to which he was exposed. James was sensible that the pardoning of so great a criminal, which was of itself invidious,

<sup>29</sup> State Trials, vol. i. p. 230. <sup>30</sup> State Trials, vol. i. p. 242. <sup>31</sup> Kennet, p. 699.

<sup>32</sup> Coke, Weldon, etc.

<sup>33</sup> See Biogr. Brit. article Coke, p. 1384.

would become still more unpopular if his obstinate and stubborn behavior on his trial should augment the public hatred against him.<sup>34</sup> At least, the unreserved confidence in which the king had indulged his favorite for several years might render Somerset master of so many secrets that it is impossible, without further light, to assign the particular reason of that superiority which, it is said, he appeared so much to assume.

The fall of Somerset, and his banishment from court, opened the way for Villiers to mount up at once to the full height of favor, of honors, and of riches. Had James's passion been governed by common rules of prudence, the office of cup-bearer would have attached Villiers to his person, and might well have contented one of his age and family; nor would any one, who was not cynically austere, have much censured the singularity of the king's choice in his friends and favorites. But such advancement was far inferior to the fortune which he intended for his minion. In the course of a few years he created him Viscount Villiers; Earl, Marquis, and Duke of Buckingham; knight of the garter; master of the horse; chief-justice in eyre; warden of the Cinque Ports; master of the king's-bench office; steward of Westminster; constable of Windsor; and lord high admiral of England.<sup>35</sup> His mother obtained the title of Countess of Buckingham; his brother was created Viscount Purbeck; and a numerous train of needy relations were all pushed up into credit and authority. And thus the fond prince, while he meant to play the tutor to his favorite, and to train him up in the rules of prudence and politics, took an infallible method, by loading him with premature and exorbitant honors, to render him forever rash, precipitate, and insolent.

A young minion to gratify with pleasure, a necessitous family to supply with riches, were enterprises too great for the empty exchequer of James. In order to obtain a little money, the cautionary towns must be delivered up to the Dutch—a measure which has been severely blamed by almost all historians; and I may venture to affirm that it has been censured much beyond its real weight and importance.

[1616.] When Queen Elizabeth advanced money for the support of the infant republic, besides the view of securing

<sup>34</sup> Bacon, vol. iv. p. 617.

<sup>35</sup> Franklyn, p. 30. Clarendon, 8vo edit. vol. i. p. 10.

herself against the power and ambition of Spain, she still reserved the prospect of reimbursement; and she got consigned into her hands the three important fortresses of Flushing, the Brille, and Rammekins, as pledges for the money due to her. Indulgent to the necessitous condition of the States, she agreed that the debt should bear no interest; and she stipulated that if ever England should make a separate peace with Spain, she should pay the troops which garrisoned those fortresses.<sup>36</sup>

After the truce was concluded between Spain and the United Provinces, the States made an agreement with the king that the debt, which then amounted to eight hundred thousand pounds, should be discharged by yearly payments of forty thousand pounds; and as five years had elapsed, the debt was now reduced to six hundred thousand pounds; and in fifteen years more, if the truce were renewed, it would be finally extinguished.<sup>37</sup> But of this sum, twenty-six thousand pounds a year were expended on the pay of the garrisons; the remainder alone accrued to the king; and the States, weighing these circumstances, thought that they made James a very advantageous offer when they expressed their willingness, on the surrender of the cautionary towns, to pay him immediately two hundred and fifty thousand pounds, and to incorporate the English garrisons in their army. It occurred also to the king that even the payment of the forty thousand pounds a year was precarious, and depended on the accident that the truce should be renewed between Spain and the republic. If war broke out, the maintenance of the garrisons lay upon England alone—a burden very useless, and too heavy for the slender revenues of that kingdom; that even during the truce, the Dutch, straitened by other expenses, were far from being regular in their payments; and the garrisons were at present in danger of mutinying for want of subsistence; that the annual sum of fourteen thousand pounds, the whole saving on the Dutch payments, amounted, in fifteen years, to no more than two hundred and ten thousand pounds; whereas two hundred and fifty thousand pounds were offered immediately—a larger sum, and, if money be computed at ten per cent. (the current interest), more than double the sum, to which England was entitled;<sup>38</sup> that if James waited till the whole debt were

<sup>36</sup> Rymer, vol. xvi. p. 341. Winwood, vol. ii. p. 351.

<sup>37</sup> Sir Dudley Carleton's Letters, pp. 27, 28.

<sup>38</sup> An annuity of fourteen thousand pounds during fifteen years, money being at ten per cent., is worth on computation only one hundred and six thousand



discharged, the troops which composed the garrisons remained a burden upon him, and could not be broken without receiving some consideration for their past services; that the cautionary towns were only a temporary restraint upon the Hollanders, and, in the present emergency, the conjunction of interest between England and the republic was so intimate as to render all other ties superfluous; and no reasonable measures for mutual support would be wanting from the Dutch, even though freed from the dependence of these garrisons; that the exchequer of the republic was at present very low, insomuch that they found difficulty, now that the aids of France were withdrawn, to maintain themselves in that posture of defence which was requisite during the truce with Spain; and the Spaniards were perpetually insisting with the king on the restitution of these towns as belonging to their crown; and no cordial alliance could ever be made with that nation while they remained in the hands of the English.<sup>39</sup> These reasons, together with his urgent wants, induced the king to accept of Caron's offer; and he evacuated the cautionary towns, which held the State in a degree of subjection, and which an ambitious and enterprising prince would have regarded as his most valuable possessions. This is the date of the full liberty of the Dutch commonwealth.

[1617.] When the crown of England devolved on James, it might have been foreseen by the Scottish nation that the independence of their kingdom, the object for which their ancestors had shed so much blood, would now be lost; and that if both states persevered in maintaining separate laws and parliaments, the weaker would more sensibly feel the subjection than if it had been totally subdued by force of arms. But these views did not generally occur. The glory of having given a sovereign to their powerful enemy, the advantages of present peace and tranquillity, the riches acquired from the munificence of their master; these considerations secured their dutiful obedience to a prince who daily gave such sensible proofs of his friendship and partiality towards them. Never had the authority of any king who resided among them been so firmly established as was that of James, even when absent; and as the administration had been hitherto conducted with great order and

five hundred pounds, whereas the king received two hundred and fifty thousand. Yet the bargain was good for the Dutch as well as the king, because they were both of them free from the maintenance of useless garrisons.

<sup>39</sup> Rushworth, vol. i. p. 3.



tranquillity, there had happened no occurrence to draw thither our attention. But this summer the king was resolved to pay a visit to his native country, in order to renew his ancient friendships and connections, and to introduce that change of ecclesiastical discipline and government on which he was extremely intent. The three chief points of this kind which James proposed to accomplish by his journey to Scotland were, the enlarging of episcopal authority, the establishing of a few ceremonies in public worship, and the fixing of a superiority in the civil above the ecclesiastical jurisdiction.

But it is an observation suggested by all history, and by none more than that of James and his successor, that the religious spirit, when it mingles with faction, contains in it something supernatural and unaccountable; and that in its operations upon society, effects correspond less to their known causes than is found in any other circumstance of government. A reflection which may at once afford a source of blame against such sovereigns as lightly innovate in so dangerous an article, and of apology for such as, being engaged in an enterprise of that nature, are disappointed of the expected event, and fail in their undertakings.

When the Scottish nation was first seized with that zeal for reformation which, though it caused such disturbance during the time, has proved so salutary in the consequences, the preachers, assuming a character little inferior to the prophetic or apostolical, disdained all subjection to the spiritual rulers of the Church by whom their innovations were punished and opposed. The revenues of the dignified clergy, no longer considered as sacred, were either appropriated by the present possessors or seized by the more powerful barons; and what remained, after mighty dilapidations, was, by act of Parliament, annexed to the crown. The prelates, however, and abbots maintained their temporal jurisdictions and their seats in Parliament; and though laymen were sometimes endowed with ecclesiastical titles, the Church, notwithstanding its frequent protestations to the contrary, was still supposed to be represented by those spiritual lords in the states of the kingdom. After many struggles, the king, even before his accession to the throne of England, had acquired sufficient influence over the Scottish clergy to extort from them an acknowledgment of the parliamentary jurisdiction of bishops; though attended with many precautions, in order to secure themselves against the

spiritual encroachments of that order.<sup>40</sup> When King of England, he engaged them, though still with great reluctance on their part, to advance a step further, and to receive the bishops as perpetual presidents or moderators in their ecclesiastical synods, reiterating their protestations against all spiritual jurisdiction of the prelates and all controlling power over the Presbyterians.<sup>41</sup> And by such gradual innovations the king flattered himself that he should quietly introduce episcopal authority; but as his final scope was fully seen from the beginning, every new advance gave fresh occasion of discontent, and aggravated, instead of softening, the abhorrence entertained against the prelacy.

What rendered the king's aim more apparent were the endeavors which, at the same time, he used to introduce into Scotland some of the ceremonies of the Church of England: the rest, it was easily foreseen, would soon follow. The fire of devotion, excited by novelty and inflamed by opposition, had so possessed the minds of the Scottish reformers that all rites and ornaments, and even order of worship, were disdainfully rejected as useless burdens; retarding the imagination in its rapturous ecstasies, and cramping the operations of that divine spirit by which they supposed themselves to be animated. A mode of worship was established, the most naked and most simple imaginable—one that borrowed nothing from the senses, but reposed itself entirely on the contemplation of that divine essence which discovers itself to the understanding only. This species of devotion, so worthy of the Supreme Being, but so little suitable to human frailty, was observed to occasion great disturbances in the breast, and in many respects to confound all rational principles of conduct and behavior. The mind, straining for these extraordinary raptures, reaching them by short glances, sinking again under its own weakness, rejecting all exterior aid of pomp and ceremony, was so occupied in this inward life that it fled from every intercourse of society, and from every cheerful amusement which could soften or humanize the character. It was obvious to all discerning eyes, and had not escaped the king's, that, by the prevalence of fanaticism, a gloomy and sullen disposition established itself among the people—a spirit obstinate and dangerous, independent and disorderly, animated equally with a contempt of authority and a hatred to every mode of religion, particularly to the Catholic. In order to mellow

<sup>40</sup> 1598,<sup>41</sup> 1606.

these humors, James endeavored to infuse a small tincture of ceremony into the national worship, and to introduce such rites as might, in some degree, occupy the mind and please the senses, without departing too far from that simplicity by which the Reformation was distinguished. The finer arts, too, though still rude in these northern kingdoms, were employed to adorn the churches; and the king's chapel, in which an organ was erected and some pictures and statues displayed, was proposed as a model to the rest of the nation. But music was grating to the prejudiced ears of the Scottish clergy; sculpture and painting appeared instruments of idolatry; the surplice was a rag of popery; and every motion or gesture prescribed by the liturgy was a step towards that spiritual Babylon so much the object of their horror and aversion. Everything was deemed impious but their own mystical comments on the Scriptures, which they idolized, and whose Eastern prophetic style they employed in every common occurrence.

It will not be necessary to give a particular account of the ceremonies which the king was so intent to establish. Such institutions, for a time, are esteemed either too divine to have proceeded from any other being than the supreme Creator of the universe, or too diabolical to have been derived from any but an infernal demon. But no sooner is the mode of the controversy passed than they are universally discovered to be of so little importance as scarcely to be mentioned with decency amid the ordinary course of human transactions. It suffices here to remark that the rites introduced by James regarded the kneeling at the sacrament, private communion, private baptism, confirmation of children, and the observance of Christmas and other festivals.<sup>42</sup> The acts establishing these ceremonies were afterwards known by the name of the Articles of Perth, from the place where they were ratified by the assembly.

A conformity of discipline and worship between the churches of England and Scotland, which was James's aim, he never could hope to establish but by first procuring an acknowledgment of his own authority in all spiritual causes; and nothing could be more contrary to the practice as well as principles of the Presbyterian clergy. The ecclesiastical courts possessed the power of pronouncing excommunication; and that sentence, besides the spiritual consequences supposed to follow from it, was attended with

<sup>42</sup> Franklyn, p. 25. Spotswood.

immediate effects of the most important nature. The person excommunicated was shunned by every one as profane and impious; and his whole estate during his lifetime, and all his movables forever, were forfeited to the crown. Nor were the previous steps requisite before pronouncing this sentence, formal or irregular, in proportion to the weight of it. Without accuser, without summons, without trial, any ecclesiastical court, however inferior, sometimes pretended in a summary manner to denounce excommunication for any cause, and against any person, even though he lived not within the bounds of their jurisdiction.<sup>43</sup> And by this means the whole tyranny of the Inquisition, though without its order, was introduced into the kingdom.

But the clergy were not content with the unlimited jurisdiction which they exercised in ecclesiastical matters. They assumed a censorial power over every part of administration; and in all their sermons, and even prayers, mingling politics with religion, they inculcated the most seditious and most turbulent principles. Black, minister of St. Andrew's, went so far,<sup>44</sup> in a sermon, as to pronounce all kings the devil's children. He gave the Queen of England the appellation of atheist; he said that the treachery of the king's heart was now fully discovered; and, in his prayers for the queen, he used these words: "We must pray for her for the fashion's sake, but we have no cause; she will never do us any good." When summoned before the privy council, he refused to answer to a civil court for anything delivered from the pulpit, even though the crime of which he was accused was of a civil nature. The Church adopted his cause. They raised a sedition in Edinburgh.<sup>45</sup> The king, during some time, was in the hands of the enraged populace; and it was not without courage as well as dexterity that he was able to extricate himself.<sup>46</sup> A few days after, a minister, preaching in the principal church of that capital, said that the king was possessed with a devil; and that one devil being expelled, seven worse had entered in his place.<sup>47</sup> To which he added that the subjects might lawfully rise and take the sword out of his hand. Scarcely, even during the darkest night of papal superstition, are there found such instances of priestly encroachments as the annals of Scotland present to us during that period.

By these extravagant stretches of power, and by the patient conduct of James, the Church began to lose ground,

<sup>43</sup> Spotswood.<sup>44</sup> 1596.<sup>45</sup> Dec. 17, 1596.<sup>46</sup> Spotswood.<sup>47</sup> Ibid.



even before the king's accession to the throne of England; but no sooner had that event taken place than he made the Scottish clergy sensible that he had become the sovereign of a great kingdom, which he governed with great authority. Though formerly he would have thought himself happy to have made a fair partition with them of the civil and ecclesiastical authority, he was now resolved to exert a supreme jurisdiction in Church as well as State, and to put an end to their seditious practices. An assembly had been summoned at Aberdeen;<sup>48</sup> but, on account of his journey to London, he prorogued it to the year following. Some of the clergy, disavowing his ecclesiastical supremacy, met at the time first appointed, notwithstanding his prohibition. He threw them into prison. Such of them as submitted and acknowledged their error were pardoned. The rest were brought to their trial. They were condemned for high treason. The king gave them their lives, but banished them the kingdom. Six of them suffered this penalty.<sup>49</sup>

The general assembly was afterwards induced<sup>50</sup> to acknowledge the king's authority in summoning ecclesiastical courts, and to submit to the jurisdiction and visitation of the bishops. Even their favorite sentence of excommunication was declared invalid unless confirmed by the ordinary. The king recommended to the inferior courts the members whom they should elect to this assembly; and everything was conducted in it with little appearance of choice and liberty.<sup>51</sup>

By his own prerogative, likewise, which he seems to have stretched on this occasion, the king erected a court of high commission,<sup>52</sup> in imitation of that which was established in England. The bishops, and a few of the clergy who had been summoned, willingly acknowledged this court; and it proceeded immediately upon business as if its authority had been grounded on the full consent of the whole legislature.

But James reserved the final blow for the time when he should himself pay a visit to Scotland. He proposed to the Parliament, which was then assembled, that they should enact that "whatever his majesty should determine, in the external government of the Church, with the consent of the archbishops, bishops, and a competent number of the ministry, should have the force of law."<sup>53</sup> What number should

<sup>48</sup> July, 1604.<sup>51</sup> Spotswood.<sup>49</sup> Spotswood.<sup>52</sup> February, 15, 1610.<sup>50</sup> June 6, 1610.<sup>53</sup> Spotswood. Franklyn, p. 22.



be deemed competent was not determined ; and their nomination was left entirely to the king ; so that his ecclesiastical authority, had this bill passed, would have been established in its full extent. Some of the clergy protested. They apprehended, they said, that the purity of their Church would, by means of this new authority, be polluted with all the rites and liturgy of the Church of England. James, dreading clamor and opposition, dropped the bill, which had already passed the lords of articles, and asserted that the inherent prerogative of the crown contained more power than was recognized by it. Some time after, he called at St. Andrew's a meeting of the bishops and thirty-six of the most eminent clergy. He there declared his resolution of exerting his prerogative, and of establishing by his own authority the few ceremonies which he had recommended to them. They entreated him rather to summon a general assembly and to gain their assent. An assembly was accordingly summoned to meet on the 25th of November ensuing.

Yet this assembly, which met after the king's departure from Scotland, eluded all his applications ; and it was not till the subsequent year that he was able to procure a vote for receiving his ceremonies. And through every step of this affair, in the Parliament, as well as in all the general assemblies, the nation betrayed the utmost reluctance to all these innovations ; and nothing but James's importunity and authority had extorted a seeming consent, which was belied by the inward sentiments of all ranks of people. Even the few over whom religious prejudices were not prevalent thought national honor sacrificed by a servile imitation of the modes of worship practised in England ; and every prudent man agreed in condemning the measures of the king, who, by an ill-timed zeal for insignificant ceremonies, had betrayed, though in an opposite manner, equal narrowness of mind with the persons whom he treated with such contempt. It was judged that, had not these dangerous humors been irritated by opposition—had they been allowed peaceably to evaporate—they would at last have subsided within the limits of law and civil authority ; and that as all fanatical religions naturally circumscribe to very narrow bounds the numbers and riches of the ecclesiastics, no sooner is their first fire spent than they lose their credit over the people, and leave them under the natural and beneficent influence of their civil and moral obligations.

At the same time that James shocked, in so violent a

manner, the religious principles of his Scottish subjects, he acted in opposition to those of his English. He had observed, in his progress through England, that a judaical observance of the Sunday, chiefly by means of the Puritans, was every day gaining ground throughout the kingdom, and that the people, under color of religion, were, contrary to former practice, debarred such sports and recreations as contributed both to their health and their amusement.<sup>54</sup> Festivals, which in other nations and ages are partly dedicated to public worship, partly to mirth and society, were here totally appropriated to the offices of religion, and served to nourish those sullen and gloomy contemplations to which the people were of themselves so unfortunately subject. The king imagined that it would be easy to infuse cheerfulness into this dark spirit of devotion. He issued a proclamation to allow and encourage, after divine service, all kinds of lawful games and exercises; and, by his authority, he endeavored to give sanction to a practice, which his subjects regarded as the utmost instance of profaneness and impiety.<sup>55</sup>

<sup>54</sup> Kennet, p. 709.

<sup>55</sup> Franklyn, p. 31. To show how rigid the English, chiefly the Puritans, were become in this particular, a bill was introduced into the House of Commons, in the eighteenth of the king, for the more strict observance of the Sunday, which they affected to call the Sabbath. One Shepherd opposed this bill, objected to the appellation of Sabbath as puritanical, defended dancing by the example of David, and seems even to have justified sports on that day. For this profaneness he was expelled the House, by the suggestion of Mr. Pym. The House of Lords opposed so far this puritanical spirit of the Commons that they proposed that the appellation of *Sabbath* should be changed into that of the *Lord's Day*. Journal, 15th, 16th February. 1620; 28th May, 1621. In Shepherd's sentence, his offence is said by the House to be great, exorbitant, unparalleled.

## CHAPTER XLVIII.

SIR WALTER RALEIGH'S EXPEDITION.—HIS EXECUTION.—INSURRECTIONS IN BOHEMIA.—LOSS OF THE PALATINATE.—NEGOTIATIONS WITH SPAIN.—A PARLIAMENT.—PARTIES.—FALL OF BACON.—RUPTURE BETWEEN THE KING AND THE COMMONS.—PROTESTATION OF THE COMMONS.

[1618.] AT the time when Sir Walter Raleigh was first confined in the Tower, his violent and haughty temper had rendered him the most unpopular man in England ; and his condemnation was chiefly owing to that public odium under which he labored. During the thirteen years' imprisonment which he suffered, the sentiments of the nation were much changed with regard to him. Men had leisure to reflect on the hardship, not to say injustice, of his sentence ; they pitied his active and enterprising spirit, which languished in the rigors of confinement ; they were struck with the extensive genius of the man, who, being educated amid naval and military enterprises, had surpassed, in the pursuits of literature, even those of the most recluse and sedentary lives ; and they admired his unbroken magnanimity, which, at his age and under his circumstances, could engage him to undertake and execute so great a work as his *History of the World*. To increase these favorable dispositions, on which he built the hopes of recovering his liberty, he spread the report of a golden mine which he had discovered in Guiana, and which was sufficient, according to his representation, not only to enrich all the adventurers, but to afford immense treasures to the nation. The king gave little credit to these mighty promises, both because he believed that no such mine as the one described was anywhere in nature, and because he considered Raleigh as a man of desperate fortunes, whose business it was, by any means, to procure his freedom, and to reinstate himself in credit and authority. Thinking, however, that he had already undergone sufficient punishment, he released him from the Tower ; and when his vaunts of the golden mine had induced multitudes to engage with him, the king gave them permission to try the

adventure, and, at their desire, he conferred on Raleigh authority over his fellow-adventurers. Though strongly solicited, he still refused to grant him a pardon, which seemed a natural consequence when he was intrusted with power and command. But James declared himself still diffident of Raleigh's intentions; and he meant, he said, to reserve the former sentence as a check upon his future behavior.

Raleigh well knew that it was far from the king's purpose to invade any of the Spanish settlements: he therefore firmly denied that Spain had planted any colonies on that part of the coast where his mine lay. When Gondomar, the ambassador of that nation, alarmed at his preparations, carried complaints to the king, Raleigh still protested the innocence of his intentions; and James assured Gondomar that he durst not form any hostile attempt, but should pay with his head for so audacious an enterprise. The minister, however, concluding that twelve armed vessels were not fitted out without some purpose of invasion, conveyed the intelligence to the court of Madrid, who immediately gave orders for arming and fortifying all their settlements, particularly those along the coast of Guiana.

When the courage and avarice of the Spaniards and Portuguese had discovered so many new worlds, they were resolved to show themselves superior to the barbarous heathens whom they invaded, not only in arts and arms, but also in the justice of the quarrel: they applied to Alexander VI., who then filled the papal chair, and he generously bestowed on the Spaniards the whole of the western, and on the Portuguese the whole eastern part of the globe. The more scrupulous Protestants, who acknowledged not the authority of the Roman pontiff, established the first discovery as the foundation of *their* title; and if a pirate or sea-adventurer of their nation had but erected a stick or a stone on the coast, as a memorial of his taking possession, they concluded the whole continent to belong to them, and thought themselves entitled to expel or exterminate, as usurpers, the ancient possessors and inhabitants. It was in this manner that Sir Walter Raleigh, about twenty-three years before, had acquired to the crown of England a claim to the continent of Guiana, a region as large as the half of Europe; and though he had immediately left the coast, yet he pretended that the English title to the whole remained certain and indefeasible. But it had happened in the mean

time that the Spaniards, not knowing, or not acknowledging, this imaginary claim, had taken possession of a part of Guiana, had formed a settlement on the river Orinoco, had built a little town called St. Thomas, and were there working some mines of small value.

To this place Raleigh directly bent his course ; and, remaining himself at the mouth of the river with five of the largest ships, he sent up the rest to St. Thomas under the command of his son and a Captain Keymis, a person entirely devoted to him. The Spaniards, who had expected this invasion, fired on the English at their landing, were repulsed, and pursued into the town. Young Raleigh, to encourage his men, called out *that this was the true mine, and none but fools looked for any other* ; and, advancing upon the Spaniards, received a shot, of which he immediately expired. This dismayed not Keymis and the others. They carried on the attack, got possession of the town, which they afterwards reduced to ashes, and found not in it anything of value.

Raleigh did not pretend that he had himself seen the mine which he had engaged so many people to go in quest of ; it was Keymis, he said, who had formerly discovered it, and had brought him that lump of ore which promised such immense treasures ; yet Keymis, who owned that he was within two hours' march of the place, refused, on the most absurd pretences, to take any effectual step towards finding it ; and he returned immediately to Raleigh with the melancholy news of his son's death and the ill-success of the enterprise. Sensible to reproach, and dreading punishment for his behavior, Keymis, in despair, retired into his cabin and put an end to his own life.

The other adventurers now concluded that they were deceived by Raleigh ; that he never had known of any such mine as he pretended to go in search of ; that his intention had ever been to plunder St. Thomas, and, having encouraged his company by the spoils of that place, to have thence proceeded to the invasion of the other Spanish settlements ; that he expected to repair his ruined fortunes by such daring enterprises, and that he trusted to the money he should acquire for making his peace with England ; or, if that view failed him, that he purposed to retire into some other country where his riches would secure his retreat.

The small acquisitions gained by the sack of St. Thomas discouraged Raleigh's companions from entering into these



views, though there were many circumstances in the treaty and late transactions between the nations which might invite them to engage in such a piratical war against the Spaniards.

When England made peace with Spain, the example of Henry IV. was imitated, who, at the treaty of Vervins, finding a difficulty in adjusting all questions with regard to the Indian trade, had agreed to pass over that article in total silence. The Spaniards, having all along published severe edicts against the intercourse of any European nations with their colonies, interpreted this silence in their own favor, and considered it as a tacit acquiescence of England in the established laws of Spain. The English, on the contrary, pretended that, as they had never been excluded by any treaty from commerce with any part of the King of Spain's dominions, it was still as lawful for them to trade with his settlements in either Indies as with his European territories. In consequence of this ambiguity, many adventurers from England sailed to the Spanish Indies, and met with severe punishment when caught; as they on the other hand, often stole, and, when superior in power, forced a trade with the inhabitants, and resisted—nay, sometimes plundered—the Spanish governors. Violences of this nature, which had been carried to a great height on both sides, it was agreed to bury in total oblivion, because of the difficulty which was found in remedying them upon any fixed principles.

But as there appeared a great difference between private adventurers in single ships and a fleet acting under a royal commission, Raleigh's companions thought it safest to return immediately to England, and carry him along with them to answer for his conduct. It appears that he employed many artifices, first to engage them to attack the Spanish settlements, and failing of that, to make his escape into France; but all these proving unsuccessful, he was delivered into the king's hands and strictly examined, as well as his fellow-adventurers, before the privy council. The council, upon inquiry, found no difficulty in pronouncing that the former suspicions with regard to Raleigh's intentions had been well grounded; that he had abused the king in the representations which he had made of his projected adventure; that, contrary to his instructions, he had acted in an offensive and hostile manner against his majesty's allies, and that he had wilfully burned and destroyed a town

belonging to the King of Spain. He might have been tried either by common law for this act of violence and piracy or by martial law for breach of orders ; but it was an established principle among lawyers<sup>1</sup> that as he lay under an actual attainder for high treason, he could not be brought to a new trial for any other crime. To satisfy, therefore, the court of Spain, which raised the loudest complaints against him, the king made use of that power which he had purposely reserved in his own hands, and signed the warrant for his execution upon his former sentence.<sup>2</sup>

Raleigh, finding his fate inevitable, collected all his courage ; though he had formerly made use of many mean artifices, such as feigning madness, sickness, and a variety of diseases in order to protract his examination and procure his escape, he now resolved to act his part with bravery and resolution. “ ’Tis a sharp remedy,” he said, “ but a sure one for all ills,” when he felt the edge of the axe by which he was to be beheaded.<sup>3</sup> His harangue to the people was calm and eloquent, and he endeavored to revenge himself and to load his enemies with the public hatred by strong asseverations of facts which, to say the least, may be esteemed very doubtful.<sup>4</sup> With the utmost indifference, he laid his head upon the block and received the fatal blow ; and in his death there appeared the same great but ill-regulated mind which during his life had displayed itself in all his conduct and behavior.

No measure of James’s reign was attended with more public dissatisfaction than the punishment of Sir Walter Raleigh. To execute a sentence which was originally so hard, which had been so long suspended, and which seemed to have been tacitly pardoned by conferring on him a new trust and commission, was deemed an instance of cruelty and injustice. To sacrifice to a concealed enemy of England the life of the only man in the nation who had a high reputation for valor and military experience was regarded as meanness and indiscretion, and the intimate connections which the king was now entering into with Spain, being universally distasteful, rendered this proof of his complaisance still more invidious and unpopular.

James had entertained an opinion, which was peculiar to

<sup>1</sup> See this matter discussed in Bacon’s Letters, published by Dr. Birch, p. 181.

<sup>2</sup> See note [B] at the end of the volume.

<sup>3</sup> Franklyn, p. 32.

<sup>4</sup> He asserted, in the most solemn manner, that he had nowise contributed to Essex’s death ; but the last letter in Murden’s Collection contains the strongest proof to the contrary.

himself, and which had been adopted by none of his predecessors, that any alliance below that of a great king was unworthy of a Prince of Wales; and he would never allow any princess but a daughter of France or Spain to be mentioned as a match for his son.<sup>5</sup> This instance of pride, which really implies meanness, as if he could receive honor from any alliance, was so well known that Spain had founded on it the hopes of governing, in the most important transactions, this monarch, so little celebrated for politics or prudence. During the life of Henry, the King of Spain had dropped some hints of bestowing on that prince his eldest daughter, whom he afterwards disposed of in marriage to the young King of France, Louis XIII. At that time the views of the Spaniards were to engage James into a neutrality with regard to the succession of Cleves, which was disputed between the Protestant and popish line;<sup>6</sup> but the bait did not then take, and James, in consequence of his alliance with the Dutch and with Henry IV. of France, marched<sup>7</sup> four thousand men, under the command of Sir Edward Cecil, who joined these two powers, and put the Marquis of Brandenburg and the Palatine of Newburg in possession of that duchy.

Gondomar was at this time the Spanish ambassador in England, a man whose flattery was the more artful because covered with the appearance of frankness and sincerity—whose politics were the more dangerous because disguised under the mask of mirth and pleasantry. He now made offer of the second daughter of Spain to Prince Charles; and, that he might render the temptation irresistible to the necessitous monarch, he gave hopes of an immense fortune which should attend the princess. The court of Spain, though determined to contract no alliance with a heretic,<sup>8</sup> entered into negotiations with James, which they artfully protracted, and, amid every disappointment, they still redoubled his hopes of success.<sup>9</sup> The transactions in Germany, so important to the Austrian greatness, became every day a new motive for this duplicity of conduct.

In that great revolution of manners which happened during the sixteenth and seventeenth centuries, the only nations who had the honorable, though often melancholy, advantage of making an effort for their expiring privileges were such as, together with the principles of civil liberty, were an-

<sup>5</sup> Kennet, pp. 703, 748.<sup>6</sup> Rushworth, vol. i. p. 2.<sup>7</sup> 1610.<sup>8</sup> La Boderie, vol. ii. p. 30.<sup>9</sup> Franklyn, p. 71.

mated with a zeal for religious parties and opinions. Besides the irresistible force of standing armies, the European princes possessed this advantage, that they were descended from the ancient royal families; that they continued the same appellations of magistrates, the same appearance of civil government, and, restraining themselves by all the forms of legal administration, could insensibly impose the yoke on their unguarded subjects. Even the German nations, who formerly broke the Roman chains and restored liberty to mankind, now lost their own liberty, and saw with grief the absolute authority of their princes firmly established among them. In their circumstances, nothing but a pious zeal, which disregards all motives of human prudence, could have made them entertain hopes of preserving any longer those privileges which their ancestors through so many ages had transmitted to them.

As the house of Austria, throughout all her extensive dominions, had ever made religion the pretence for her usurpations, she now met with resistance from a like principle; and the Catholic religion, as usual, had ranged itself on the side of monarchy; the Protestant, on that of liberty. The states of Bohemia, having taken arms against the Emperor Matthias, continued their revolt against his successor Ferdinand, and claimed the observance of all the edicts enacted in favor of the new religion, together with the restoration of their ancient laws and constitution. The neighboring principalities—Silesia, Moravia, Lusatia, Austria, even the kingdom of Hungary—took part in the quarrel, and throughout all these populous and martial provinces the spirit of discord and civil war had universally diffused itself.<sup>10</sup>

[1619.] Ferdinand II., who possessed more vigor and greater abilities, though not more lenity and moderation, than are usual with the Austrian princes, strongly armed himself for the recovery of his authority; and besides employing the assistance of his subjects, who professed the ancient religion, he engaged on his side a powerful alliance of the neighboring potentates. All the Catholic princes of the empire had embraced his defence—even Saxony, the most powerful of the Protestant; Poland had declared itself in his favor;<sup>11</sup> and, above all, the Spanish monarch, deeming his own interest closely connected with that of the younger branch of his family, prepared powerful succors from Italy and from the Low Countries; and he also advanced large

<sup>10</sup> Rushworth, vol. i. pp. 7, 8.

<sup>11</sup> Rushworth, vol. i. pp. 13. 14.



sums for the support of Ferdinand and of the Catholic religion.

The states of Bohemia, alarmed at these mighty preparations, began also to solicit foreign assistance; and, together with that support which they obtained from the evangelical union in Germany, they endeavored to establish connections with greater princes. They cast their eyes on Frederick, Elector-Palatine. They considered that, besides commanding no despicable force of his own, he was son-in-law to the King of England and nephew to Prince Maurice, whose authority was become almost absolute in the United Provinces. They hoped that these princes, moved by the connections of blood as well as by the tie of their common religion, would interest themselves in all the fortunes of Frederick, and would promote his greatness. They therefore made him a tender of their crown, which they considered as elective; and the young palatine, stimulated by ambition, without consulting either James<sup>12</sup> or Maurice, whose opposition he foresaw, immediately accepted the offer, and marched all his forces into Bohemia in support of his new subjects.

The news of these events no sooner reached England than the whole kingdom was on fire to engage in the quarrel. Scarcely was the ardor greater with which all the states of Europe, in former ages, flew to rescue the Holy Land from the dominion of infidels. The nation was as yet sincerely attached to the blood of their monarchs, and they considered their connection with the Palatine, who had married a daughter of England, as very close and intimate; and when they heard of Catholics carrying on wars and persecutions against Protestants, they thought their own interest deeply concerned, and regarded their neutrality as a base desertion of the cause of God and of his holy religion. In such a quarrel, they would gladly have marched to the opposite extremity of Europe, have plunged themselves into a chaos of German politics, and have expended all the blood and treasure of the nation by maintaining a contest with the whole house of Austria, at the very time and in the very place in which it was the most potent, and almost irresistible.

But James, besides that his temper was too little enterprising for such vast undertakings, was restrained by another motive which had a mighty influence over him: he

<sup>12</sup> Franklyn, p. 49.



refused to patronize the revolt of subjects against their sovereign. From the very first he denied to his son-in-law the title of King of Bohemia;<sup>13</sup> he forbade him to be prayed for in the churches under that appellation; and though he owned that he had nowise examined the pretensions, privileges, and constitution of the revolted states,<sup>14</sup> so exalted was his idea of the rights of kings that he concluded subjects must ever be in the wrong when they stood in opposition to those who had acquired or assumed that majestic title. Thus, even in measures founded on true politics, James intermixed so many narrow prejudices as diminished his authority and exposed him to the imputation of weakness and of error.

[1620.] Meanwhile affairs everywhere hastened to a crisis. Ferdinand levied a great force, under the command of the Duke of Bavaria and the Count of Bucquoy, and advanced upon his enemy in Bohemia. In the Low Countries, Spinola collected a veteran army of thirty thousand men. When Edmonds, the king's resident at Brussels, made remonstrances to the Archduke Albert, he was answered that the orders for this armament had been transmitted to Spinola from Madrid, and that he alone knew the secret destination of it. Spinola again told the minister that his orders were still sealed, but if Edmonds would accompany him in his march to Coblenz, he would there open them and give him full satisfaction.<sup>15</sup> It was more easy to see his intentions than to prevent their success. Almost at one time it was known in England that Frederick, being defeated in the great and decisive battle of Prague, had fled with his family into Holland, and that Spinola had invaded the Palatinate, and, meeting with no resistance, except from some princes of the union, and from one English regiment of two thousand four hundred men, commanded by the brave Sir Horace Vere,<sup>16</sup> had, in a little time, reduced the greater part of that principality.

High were now the murmurs and complaints against the king's neutrality and inactive disposition. The happiness and tranquillity of their own country became distasteful to the English, when they reflected on the grievances and distresses of their Protestant brethren in Germany. They considered not that their interposition in the wars of the Conti-

<sup>13</sup> Rushworth, vol. i. pp. 12, 13.

<sup>15</sup> Franklyn, p. 44. Rushworth, vol. i. p. 14.

<sup>16</sup> Franklyn, pp. 42, 43. Rushworth, vol. i. p. 15. Kennet, p. 723.

<sup>14</sup> Franklyn, p. 48.

nent, though agreeable to religious zeal, could not, at that time, be justified by any sound maxims of politics; that, however exorbitant the Austrian greatness, the danger was still too distant to give any just alarm to England; that mighty resistance would yet be made by so many potent and warlike princes and states in Germany ere they would yield their neck to the yoke; that France, now engaged to contract a double alliance with the Austrian family, must necessarily be soon roused from her lethargy, and oppose the progress of so hated a rival; that in the further advance of conquests even the interests of the two branches of that ambitious family must interfere and beget mutual jealousy and opposition; that a land war carried on at such a distance would waste the blood and treasure of the English nation, without any hopes of success; that a sea war, indeed, might be both safe and successful against Spain, but would not affect the enemy in such vital parts as to make them stop their career of success in Germany, and abandon all their acquisitions; and that the prospect of recovering the Palatinate being at present desperate, the affair was reduced to this simple question, Whether peace and commerce with Spain, or the uncertain hopes of plunder and of conquest in the Indies, were preferable?—a question which, at the beginning of the king's reign, had already been decided, and perhaps with reason, in favor of the former advantages.

James might have defended his pacific measures by such plausible arguments; but these, though the chief, seem not to have been the sole motives which swayed him. He had entertained the notion that, as his own justice and moderation had shone out so conspicuously throughout all these transactions, the whole house of Austria, though not awed by the power of England, would willingly, from mere respect to his virtue, submit themselves to so equitable an arbitration. He flattered himself that after he had formed an intimate connection with the Spanish monarch by means of his son's marriage, the restitution of the Palatinate might be procured from the motive alone of friendship and personal attachment. He perceived not that his inactive virtue, the more it was extolled, the greater disregard was it exposed to. He was not sensible that the Spanish match was itself attended with such difficulties that all his art of negotiation would scarcely be able to surmount them; much less that this match could, in good policy, be depended on as the means of procuring such extraordinary advantages.

His unwarlike disposition, increased by age, riveted him still faster in his errors, and determined him to seek the restoration of his son-in-law, by remonstrances and entreaties, by arguments and embassies, rather than by blood and violence. And the same defect of courage which held him in awe of foreign nations made him likewise afraid of shocking the prejudices of his own subjects, and kept him from openly avowing the measures which he was determined to pursue. Or, perhaps, he hoped to turn these prejudices to account, and by their means engage his people to furnish him with supplies, of which their excessive frugality had hitherto made them so sparing and reserved.<sup>17</sup>

He first tried the expedient of a benevolence or free gift from individuals; pretending the urgency of the case, which would not admit of leisure for any other measure; but the jealousy of liberty was now roused, and the nation regarded these pretended benevolences as real extortions, contrary to law and dangerous to freedom, however authorized by ancient precedent. A Parliament was found to be the only resource which could furnish any large supplies, and writs were accordingly issued for summoning that great council of the nation.<sup>18</sup> [1621.]

In this Parliament there appeared, at first, nothing but duty and submission on the part of the Commons; and they seemed determined to sacrifice everything in order to maintain a good correspondence with their prince. They would allow no mention to be made of the new customs or impositions which had been so eagerly disputed in the former Parliament; <sup>19</sup> the imprisonment of the members of that Parliament was here, by some, complained of; but, by the authority of the graver and more prudent part of the House, that grievance was buried in oblivion; <sup>20</sup> and, being informed that the king had remitted several considerable sums to the Palatine, the Commons, without a negative, voted him two subsidies, <sup>21</sup> and that, too, at the very beginning of the session, contrary to the maxims frequently adopted by their predecessors.

Afterwards they proceeded, but in a very temperate manner, to the examination of grievances. They found that patents had been granted to Sir Giles Mompesson and Sir Francis Michel for licensing inns and ale-houses; that great sums of money had been exacted under pretext of these

<sup>17</sup> Franklyn, p. 47. Rushworth, vol. i. p. 21.

<sup>18</sup> See note [C] at the end of the volume.

<sup>20</sup> Journal, February 12, 16, 1620.

<sup>19</sup> Journal, December 5, 1621.

<sup>21</sup> Journal, February 16, 1620.

licenses; and that such innkeepers as presumed to continue their business without satisfying the rapacity of the patentees had been severely punished by fine, imprisonment, and vexatious prosecutions.

The same persons had also procured a patent, which they shared with Sir Edward Villiers, brother to Buckingham, for the sole making of gold and silver thread and lace, and had obtained very extraordinary powers for preventing any rivalry in these manufactures: they were armed with authority to search for all goods which might interfere with their patent, and even to punish, at their own will and discretion, the makers, importers, and venders of such commodities. Many had grievously suffered by this exorbitant jurisdiction; and the lace which had been manufactured by the patentees was universally found to be adulterated, and to be composed more of copper than of the precious metals.

These grievances the Commons represented to the king; and they met with a very gracious and very cordial reception. He seemed even thankful for the information given him, and declared himself ashamed that such abuses, unknowingly to him, had crept into his administration. "I assure you," said he, "had I before heard these things complained of, I would have done the office of a just king, and out of Parliament have punished them as severely, and peradventure more than you now intend to do."<sup>22</sup> A sentence was passed for the punishment of Michel and Mompesson.<sup>23</sup> It was executed on the former. The latter broke prison and escaped. Villiers was at that time sent purposely on a foreign employment; and his guilt, being less enormous or less apparent than that of the others, he was the more easily protected by the credit of his brother, Buckingham.<sup>24</sup>

Encouraged by this success, the Commons carried their scrutiny, and still with a respectful hand, into other abuses of importance. The great seal was at that time in the hands of the celebrated Bacon, created Viscount St. Alban's—a man universally admired for the greatness of his genius, and beloved for the courteousness and humanity of his behavior. He was the great ornament of his age and nation, and naught

<sup>22</sup> Franklyn, p. 51. Rushworth, vol. i. p. 25.

<sup>23</sup> Franklyn, p. 52. Rushworth, vol. i. p. 27.

<sup>24</sup> Yelverton, the attorney-general, was accused by the Commons for drawing the patents for these monopolies, and for supporting them. He apologized for himself that he was forced by Buckingham, and that he supposed it to be the king's pleasure. The Lords were so offended at these articles of defence, though necessary to the attorney-general, that they fined him ten thousand pounds to the king, five thousand to the duke. The fines, however, were afterwards remitted. Franklyn, p. 55. Rushworth, vol. i. pp. 31, 32, etc.



was wanting to render him the ornament of human nature itself but that strength of mind which might check his intemperate desire of preferment, that could add nothing to his dignity and might restrain his profuse inclination to expense, that could be requisite neither for his honor nor entertainment. His want of economy and his indulgence to servants had involved him in necessities, and, in order to supply his prodigality, he had been tempted to take bribes by the title of presents, and that in a very open manner, from suitors in chancery. It appears that it had been usual for former chancellors to take presents, and it is pretended that Bacon, who followed the same dangerous practice, had still, in the seat of justice, preserved the integrity of a judge, and had given just decrees against those very persons from whom he had received the wages of iniquity. Complaints rose the louder on that account, and at last reached the House of Commons, who sent up an impeachment against him to the Peers. The chancellor, conscious of guilt, deprecated the vengeance of his judges, and endeavored, by a general avowal, to escape the confusion of a stricter inquiry. The Lords insisted on a particular confession of all his corruptions. He acknowledged twenty-eight articles, and was sentenced to pay a fine of forty thousand pounds, to be imprisoned in the Tower during the king's pleasure, to be forever incapable of any office, place, or employment, and never again to sit in Parliament or come within the verge of the court.

This dreadful sentence—dreadful to a man of nice sensibility to honor—he survived five years; and, being released in a little time from the Tower, his genius, yet unbroken, supported itself amid involved circumstances and a depressed spirit, and shone out in literary productions which have made his guilt or weaknesses be forgotten or overlooked by posterity. In consideration of his great merit the king remitted his fine as well as all the other parts of his sentence, conferred on him a large pension of eighteen hundred pounds a year, and employed every expedient to alleviate the weight of his age and misfortunes. And that great philosopher at last acknowledged with regret that he had too long neglected the true ambition of a fine genius, and, by plunging into business and affairs which require much less capacity, but greater firmness of mind, than the pursuits of learning, had exposed himself to such grievous calamities.<sup>25</sup>

<sup>25</sup> It is thought that appeals from chancery to the House of Peers first came

The Commons had entertained the idea that they were the great patrons of the people, and that the redress of all grievances must proceed from them; and to this principle they were chiefly beholden for the regard and consideration of the public. In the execution of this office they now kept their ears open to complaints of every kind; and they carried their researches into many grievances, which, though of no great importance, could not be touched on without sensibly affecting the king and his ministers. The prerogative seemed every moment to be invaded; the king's authority, in every article, was disputed; and James, who was willing to correct the abuses of his power, would not submit to have his power itself questioned and denied. After the House, therefore, had sitten near six months, and had as yet brought no considerable business to a full conclusion, the king resolved, under pretence of the advanced season, to interrupt their proceedings; and he sent them word that he was determined in a little time to adjourn them till next winter. The Commons made application to the Lords, and desired them to join in a petition for delaying the adjournment, which was refused by the Upper House. The king regarded this project of a joint petition as an attempt to force him from his measures; he thanked the Peers for their refusal to concur in it, and told them that, if it were their desire, he would delay the adjournment, but would not so far comply with the request of the Lower House.<sup>26</sup> And thus, in these great and national affairs, the same peevishness which in private altercations often raises a quarrel from the smallest beginnings produced a mutual coldness and disgust between the king and the Commons.

During the recess of Parliament, the king used every measure to render himself popular with the nation, and to appease the rising ill-humor of its representatives. He had voluntarily offered the Parliament to circumscribe his own prerogative, and to abrogate for the future his power of granting monopolies. He now recalled all the patents of that kind, and redressed every article of grievance, to the number of thirty-seven, which had ever been complained of in the House of Commons.<sup>27</sup> But he gained not the end which he proposed. The disgust, which had appeared at parting, could not so suddenly be dispelled. He had like-

into practice while Bacon held the great seal. Appeals under the form of *writ of error* had long before lain against the courts of law. Blackstone's Comm. vol. iii. p. 454.

<sup>26</sup> Rushworth, vol. i. p. 35.

<sup>27</sup> Rushworth, vol. i. p. 36. Kennet, p. 733. <sup>28</sup> Journal, 1st December, 1621.

wise been so imprudent as to commit to prison Sir Edwin Sandys,<sup>28</sup> without any known cause besides his activity and vigor in discharging his duty as a member of Parliament. And, above all, the transactions in Germany were sufficient, when joined to the king's cautions, negotiations, and delays, to inflame that jealousy of honor and religion which prevailed throughout the nation.<sup>29</sup> This summer, the ban of the empire had been published against the Elector Palatine; and the execution of it was committed to the Duke of Bavaria.<sup>30</sup> The Upper Palatinate was in a little time conquered by that prince, and measures were taken in the empire for bestowing on him the electoral dignity, of which the Palatine was then despoiled. Frederick now lived with his numerous family in poverty and distress, either at Holland or at Sedan, with his uncle the Duke of Bouillon; and throughout all the new conquests, in both the palatinates as well as in Bohemia, Austria, and Lusatia, the progress of the Austrian arms was attended with rigors and severities, exercised against the professors of the reformed religion.

The zeal of the Commons immediately moved them, upon their assembling, to take all these transactions into consideration. They framed a remonstrance, which they intended to carry to the king. They represented that the enormous growth of the Austrian power threatened the liberties of Europe; that the progress of the Catholic religion in England bred the most melancholy apprehensions lest it should again acquire an ascendant in the kingdom; that the indulgence of his majesty towards the professors of that religion had encouraged their insolence and temerity; that the uncontrolled conquests made by the Austrian family in Germany raised mighty expectations in the English Papists; but, above all, that the prospect of the Spanish match elevated them so far as to hope for an entire toleration, if not the final re-establishment, of their religion. The Commons, therefore, entreated his majesty that he would immediately undertake the defence of the Palatinate, and maintain it by

<sup>29</sup> To show to what degree the nation was inflamed with regard to the Palatinate, there occurs a remarkable story this session. One Floyd, a prisoner in the Fleet, a Catholic, had dropped some expressions, in private conversation, as if he were pleased with the misfortunes of the Palatine and his wife. The Commons were in a flame, and, pretending to be a court of judicature and of record, proceeded to condemn him to a severe punishment. The House of Lords checked this encroachment; and, what was extraordinary, considering the present humor of the Lower House, the latter acquiesced in the sentiments of the Peers. This is almost the only pretension of the English Commons in which they have not prevailed. Happily for the nation, they have been successful in almost all their other claims. See *Parliamentary History*, vol. v. pp. 428, 429, etc. *Journ.* 4th, 8th, 12th May, 1621.

<sup>30</sup> Franklyn, p. 73.

force of arms; that he would turn his sword against Spain, whose armies and treasures were the chief support of the Catholic interest in Europe; that he would enter into no negotiation for the marriage of his son but with a Protestant princess; that the children of popish recusants should be taken from their parents, and be committed to the care of Protestant teachers and schoolmasters; and that the fines and confiscations to which the Catholics were by law liable should be levied with the utmost severity.<sup>31</sup>

By this *bold* step, unprecedented in England for many years, and scarcely ever heard of in peaceable times, the Commons attacked at once all the king's favorite maxims of government, his cautious and pacific measures, his lenity towards the Romish religion, and his attachment to the Spanish alliance, from which he promised himself such mighty advantages. But what most disgusted him was their seeming invasion of his prerogative, and their pretending, under color of advice, to direct his conduct in such points as had ever been acknowledged to belong solely to the management and direction of the sovereign. He was at that time absent at Newmarket; but as soon as he heard of the intended remonstrance of the Commons, he wrote a letter to the speaker, in which he sharply rebuked the House for openly debating matters far above their reach and capacity, and he strictly forbade them to meddle with anything that regarded his government or deep matters of state, and especially not to touch on his son's marriage with the daughter of Spain, nor to attack the honor of that king, or any other of his friends and confederates. In order the more to intimidate them, he mentioned the imprisonment of Sir Edwin Sandys; and though he denied that the confinement of that member had been owing to any offence committed in the House, he plainly told them that he thought himself fully entitled to punish every misdemeanor in Parliament, as well during its sitting as after its dissolution; and that he intended thenceforward to chastise any man whose insolent behavior there should minister occasion of offence.<sup>32</sup>

This *violent* letter, in which the king, though he here imitated former precedents, may be thought not to have acted altogether on the defensive, had the effect which might naturally have been expected from it—the Commons were in-

<sup>31</sup> Franklyn, pp. 58, 59. Rushworth, vol. i. pp. 40, 41. Kennet, p. 737.

<sup>32</sup> Franklyn, p. 60. Rushworth, vol. i. p. 43. Kennet, p. 741.



flamed, not terrified. Secure of their own popularity, and of the bent of the nation towards a war with the Catholics abroad, and the persecution of popery at home, they little dreaded the menaces of a prince who was unsupported by military force, and whose gentle temper would of itself so soon disarm his severity. In a new remonstrance, therefore, they still insisted on their former remonstrance and advice, and they maintained, though in respectful terms, that they were entitled to interpose with their counsel in all matters of government; that to possess entire freedom of speech, in their debates on public business, was their ancient and undoubted right, and an inheritance transmitted to them from their ancestors; and that if any member abused this liberty, it belonged to the House alone, who were witnesses of his offence, to inflict a proper censure upon him.<sup>33</sup>

So *vigorous* an answer was nowise calculated to appease the king. It is said, when the approach of the committee who were to present it was notified to him, he ordered twelve chairs to be brought, for that there were so many kings a-coming.<sup>34</sup> His answer was prompt and sharp. He told the House that their remonstrance was more like a denunciation of war than an address of dutiful subjects; that their *pretensions* to inquire into all state affairs, without exception, was such a *plenipotence* as none of their ancestors, even during the reign of the weakest princes, had ever pretended to; that public transactions depended on a complication of views and intelligence with which they were entirely unacquainted; that they could not better show their wisdom as well as duty than by keeping within their proper sphere;<sup>35</sup> and that in any business which depended on his prerogative they had no title to interpose with their advice, except when he was pleased to desire it; and he concluded with these memorable words: "And though we cannot allow of your style in mentioning your ancient and undoubted right and inheritance, but would rather have wished that ye had said that your privileges were derived from the grace and permission of our ancestors, and us (for the most of them grew from precedents, which shows rather a toleration than inheritance), yet we are pleased to give you our royal assurance that as long as you contain yourselves within the limits of your duty we will be as careful to main-

<sup>33</sup> Franklyn, p. 60. Rushworth, vol. i. p. 44. Kennet, p. 741.

<sup>34</sup> Kennet, p. 43.

<sup>35</sup> *Ne sutor ultra crepidam*. This expression is imagined to be insolent and disobliging; but it was a Latin proverb familiarly used on all occasions.

tain and preserve your lawful liberties and privileges as ever any of our predecessors were—nay, as to preserve our own royal prerogative.”<sup>36</sup>

This open pretension of the king naturally gave great alarm to the House of Commons. They saw their title to every privilege, if not plainly denied, yet considered at least as precarious. It might be forfeited by abuse, and they had already abused it. They thought proper, therefore, immediately to oppose pretension to pretension; they framed a protestation in which they repeated all their former claims for freedom of speech, and an unbounded authority to interpose with their advice and counsel; and they asserted that “the liberties, franchises, privileges, and jurisdictions of Parliament are the ancient and undoubted birthright and inheritance of the subjects of England.”<sup>37</sup>

The king, informed of these increasing heats and jealousies in the House, hurried to town. He sent immediately for the journals of the Commons; and, with his own hand, before the council, he tore out this protestation,<sup>38</sup> and ordered his reasons to be inserted in the council book. He was doubly displeased, he said, with the protestation of the Lower House, on account of the manner of framing it, as well as of the matter which it contained. It was tumultuously voted at a late hour, and in a thin House, and it was expressed in such general and ambiguous terms as might serve for a foundation to the most enormous claims and to the most unwarrantable usurpations upon his prerogative.<sup>39</sup>

The meeting of the House might have proved dangerous after so violent a breach. It was no longer possible, while men were in such a temper, to finish any business. The king, therefore, prorogued the Parliament, and soon after dissolved it by proclamation, in which he also made an apology to the public for his whole conduct.

The leading members of the House, Sir Edward Coke and Sir Robert Philips, were committed to the Tower; Selden, Pym, and Mallory, to other prisons.<sup>40</sup> As a lighter punishment, Sir Dudley Digges, Sir Thomas Carew, Sir Nathaniel Rich, Sir James Perrot, joined in commission with others, were sent to Ireland, in order to execute some business.<sup>41</sup> The king, at that time, enjoyed, at least exer-

<sup>36</sup> Franklyn, pp. 62, 63, 64. Rushworth, vol. i. pp. 46, 47, etc. Kennet, p. 743.

<sup>37</sup> See note [D] at the end of the volume. <sup>38</sup> Journal, December 18, 1621.

<sup>39</sup> Franklyn, p. 65. <sup>40</sup> Franklyn, p. 66. Rushworth, vol. i. p. 55.

<sup>41</sup> Franklyn, p. 66. Rushworth, vol. i. p. 55.

cised, the prerogative of employing any man, even without his consent, in any branch of public service.

Sir John Savile, a powerful man in the House of Commons, and a zealous opponent of the court, was made comptroller of the household, a privy-councillor, and soon after a baron.<sup>42</sup> This event is memorable, as being the first instance, perhaps, in the whole history of England, of any king's advancing a man on account of parliamentary interest and of opposition to his measures. However irregular this practice, it will be regarded by political reasoners as one of the most early and most infallible symptoms of a regular established liberty.

The king having thus, with so rash and indiscreet a hand, torn off that sacred veil which had hitherto covered the English constitution, and which threw an obscurity upon it so advantageous to royal prerogative, every man began to indulge himself in political reasonings and inquiries; and the same factions which commenced in Parliament were propagated throughout the nation. In vain did James by reiterated proclamations forbid the discoursing of state affairs.<sup>43</sup> Such proclamations, if they had any effect, served rather to inflame the curiosity of the public; and, in every company or society, the late transactions became the subject of argument and debate.

All history, said the partisans of the court, as well as the history of England, justify the king's position with regard to the origin of popular privileges; and every reasonable man must allow that as monarchy is the most simple form of government, it must first have occurred to rude and uninstructed mankind. The other complicated and artificial additions were the successive invention of sovereigns and legislators; or, if they were obtruded on the prince by seditious subjects, their origin must appear, on that very account, still more precarious and unfavorable. In England, the authority of the king, in all the exterior forms of government, and in the common style of law, appears totally absolute and sovereign; nor does the real spirit of the constitution, as it has ever discovered itself in practice, fall much short of these appearances. The Parliament is created by his will; by his will it is dissolved. It is his will alone, though

<sup>42</sup> Kennet, p. 749.

<sup>43</sup> Franklyn, p. 56. Rushworth, vol. i. pp. 21, 36, 55. The king also, in imitation of his predecessors, gave rules to preachers. Franklyn, p. 70. The pulpit was at that time much more dangerous than the press. Few people could read, and still fewer were in the practice of reading.

at the desire of both Houses, which gives authority to laws. To all foreign nations the majesty of the monarch seems to merit sole attention and regard; and no subject who has exposed himself to royal indignation can hope to live with safety in the kingdom; nor can he even leave it, according to law, without the consent of his master. If a magistrate, environed with such power and splendor, should consider his authority as sacred, and regard himself as the anointed of Heaven, his pretensions may bear a very favorable construction; or, allowing them to be merely pious frauds, we need not be surprised that the same stratagem which was practised by Minos, Numa, and the most celebrated legislators of antiquity, should now, in these restless and inquisitive times, be employed by the King of England. Subjects are not raised above that quality, though assembled in Parliament. The same humble respect and deference is still due to their prince. Though he indulges them in the privilege of laying before him their domestic grievances, with which they are supposed to be best acquainted, this warrants not their bold intrusion into every province of government. And to all judicious examiners it must appear "that the lines of duty are as much transgressed by a more independent and less respectful exercise of acknowledged powers as by the usurpation of such as are new and unusual."

The lovers of liberty throughout the nation reasoned after a different manner. It is in vain, said they, that the king traces up the English government to its first origin, in order to represent the privileges of Parliament as dependent and precarious; prescription, and the practice of so many ages, must, long ere this time, have given a sanction to these assemblies, even though they had been derived from an origin no more dignified than that which he assigns them. If the written records of the English nation, as asserted, represent parliaments to have arisen from the consent of monarchs, the principles of human nature, when we trace government a step higher, must show us that monarchs themselves owe all their authority to the voluntary submission of the people. But, in fact, no age can be shown when the English government was altogether an unmixed monarchy; and if the privileges of the nation have, at any period, been overpowered by violent eruptions of foreign force or domestic usurpation, the generous spirit of the people has ever seized the first opportunity of re-establishing the ancient government and constitution. Though in



the style of the laws, and in the usual forms of administration, royal authority may be represented as sacred and supreme, whatever is essential to the exercise of sovereign and legislative power must still be regarded as equally divine and inviolable ; or if any distinction be made in this respect, the preference is surely due to those national councils by whose interposition the exorbitances of tyrannical power are restrained, and that sacred liberty is preserved which heroic spirits, in all ages, have deemed more precious than life itself. Nor is it sufficient to say that the mild and equitable administration of James affords little occasion, or no occasion, of complaint. How moderate soever the exercise of his prerogative, how exact soever his observance of the laws and constitution, "if he founds his authority on arbitrary and dangerous principles, it is requisite to watch him with the same care, and to oppose him with the same vigor, as if he had indulged himself in all the excesses of cruelty and tyranny."

Amid these disputes, the wise and moderate in the nation endeavored to preserve, as much as possible, an equitable neutrality between the opposite parties ; and the more they reflected on the course of public affairs, the greater difficulty they found in fixing just sentiments with regard to them. On the one hand, they regarded the very rise of parties as a happy prognostic of the establishment of liberty ; nor could they ever expect to enjoy, in a mixed government, so valuable a blessing without suffering that inconvenience which, in such governments, has ever attended it. But when they considered on the other hand, the necessary aims and pursuits of both parties, they were struck with apprehension of the consequences, and could discover no feasible plan of accommodation between them. From long practice, the crown was now possessed of so exorbitant a prerogative that it was not sufficient for liberty to remain on the defensive, or endeavor to secure the little ground which was left her ; it was become necessary to carry on an offensive war, and to circumscribe within more narrow as well as more exact bounds the authority of the sovereign. Upon such provocation, it could not but happen that the prince, however just and moderate, would endeavor to repress his opponents ; and, as he stood upon the very brink of arbitrary power, it was to be feared that he would hastily and unknowingly pass those limits which were not precisely marked by the constitution. The turbulent government of

England, ever fluctuating between privilege and prerogative, would afford a variety of precedents, which might be pleaded on both sides. In such delicate questions, the people must be divided; the arms of the state were still in their hands; a civil war must ensue—a civil war where no party or both parties would justly bear the blame, and where the good and virtuous would scarcely know what vows to form, were it not that liberty, so necessary to the perfection of human society, would be sufficient to bias their affections towards the side of its defenders.

## CHAPTER XLIX.

NEGOTIATIONS WITH REGARD TO THE MARRIAGE AND THE PALATINATE.—CHARACTER OF BUCKINGHAM.—PRINCE'S JOURNEY TO SPAIN.—MARRIAGE TREATY BROKEN.—A PARLIAMENT.—RETURN OF BRISTOL.—RUPTURE WITH SPAIN.—TREATY WITH FRANCE.—MANSFELDT'S EXPEDITION.—DEATH OF THE KING.—HIS CHARACTER.

[1622.] To wrest the Palatinate from the hands of the emperor and the Duke of Bavaria must always have been regarded as a difficult task for the power of England, conducted by so unwarlike a prince as James: it was plainly impossible while the breach subsisted between him and the Commons. The king's negotiations, therefore, had they been managed with ever so great dexterity, must now carry less weight with them; and it was easy to elude all his applications. When Lord Digby, his ambassador to the emperor, had desired a cessation of hostilities, he was referred to the Duke of Bavaria, who commanded the Austrian armies. The Duke of Bavaria told him that it was entirely superfluous to form any treaty for that purpose. "Hostilities are already ceased," said he; "and I doubt not but I shall be able to prevent their revival by keeping firm possession of the Palatinate till a final agreement shall be concluded between the contending parties."<sup>1</sup> Notwithstanding this insult, James endeavored to resume with the emperor a treaty of accommodation; and he opened the negotiations at Brussels, under the mediation of Archduke Albert; and after his death, which happened about this time, under that of the infanta. When the conferences were entered upon, it was found that the powers of these princes to determine in the controversy were not sufficient or satisfactory. Schwartzembourg, the imperial minister, was expected at London, and it was hoped that he would bring more ample authority: his commission referred entirely to the negotiation at Brussels. It was not difficult for the king to perceive that his applications were neglected by the emperor;

<sup>1</sup> Franklyn, p 57. Rushworth, vol. i. p. 38.

but as he had no choice of any other expedient, and it seemed the interest of his son-in-law to keep alive his pretensions, he was still content to follow Ferdinand through all his shifts and evasions. Nor was he entirely discouraged, even when the imperial diet at Ratisbon, by the influence, or rather authority, of the emperor, though contrary to the protestation of Saxony and of all the Protestant princes and cities, had transferred the electoral dignity from the Palatine to the Duke of Bavaria.

Meanwhile, the efforts made by Frederick for the recovery of his dominions were vigorous. Three armies were levied in Germany by his authority, under three commanders—Duke Christian of Brunswick, the Prince of Baden-Dourlach, and Count Mansfeldt. The two former generals were defeated by Count Tilly and the imperialists; the third, though much inferior in force to his enemies, still maintained the war, but with no equal supplies of money either from the Palatine or the King of England. It was chiefly by pillage and free quarters in the Palatinate that he subsisted his army. As the Austrians were regularly paid, they were kept in more exact discipline; and James justly became apprehensive lest so unequal a contest, besides ravaging the Palatine's hereditary dominions, would end in the total alienation of the people's affections from their ancient sovereign, by whom they were plundered, and in an attachment to their new masters, by whom they were protected.<sup>2</sup> He persuaded, therefore, his son-in-law to disarm, under color of duty and submission to the emperor; and, accordingly, Mansfeldt was dismissed from the Palatine's service, and that famous general withdrew his army into the Low Countries, and there received a commission from the States of the United Provinces.

To show how little account was made of James's negotiations abroad, there is a pleasantry mentioned by all historians, which for that reason shall have place here. In a farce acted at Brussels, a courier was introduced carrying the doleful news that the Palatinate would be soon wrested from the house of Austria, so powerful were the succors which, from all quarters, were hastening to the relief of the despoiled Elector: the King of Denmark had agreed to contribute to his assistance a hundred thousand pickled herrings, the Dutch a hundred thousand butter-boxes, and the King of England a hundred thousand ambassadors. On

<sup>2</sup> Parliamentary History, vol. v. p. 484.



other occasions he was painted with a scabbard, but without a sword, or with a sword which nobody could draw, though several were pulling at it.<sup>3</sup>

It was not from his negotiations with the emperor or the Duke of Bavaria that James expected any success in his project of restoring the Palatine : his eyes were entirely turned towards Spain ; and if he could effect his son's marriage with the infanta, he doubted not but that, after so intimate a conjunction, this other point could easily be obtained. The negotiations of that court being commonly dilatory, it was not easy for a prince of so little penetration in business to distinguish whether the difficulties which occurred were real or affected ; and he was surprised, after negotiating five years on so simple a demand, that he was not more advanced than at the beginning. A dispensation from Rome was requisite for the marriage of the infanta with a Protestant prince ; and the King of Spain, having undertaken to procure that dispensation, had thereby acquired the means of retarding at pleasure or of forwarding the marriage, and at the same time of concealing entirely his artifices from the court of England.

In order to remove all obstacles, James despatched Digby, soon after created Earl of Bristol, as his ambassador to Philip IV., who had lately succeeded his father in the crown of Spain. He secretly employed Gage as his agent at Rome ; and finding that the difference of religion was the principal, if not the sole, difficulty which retarded the marriage, he resolved to soften that objection as much as possible. He issued public orders for discharging all popish recusants who were imprisoned ; and it was daily apprehended that he would forbid, for the future, the execution of the penal laws enacted against them. For this step, so opposite to the rigid spirit of his subjects, he took care to apologize ; and he even endeavored to ascribe it to his great zeal for the reformed religion. He had been making applications, he said, to all foreign princes for some indulgence to the distressed Protestants ; and he was still answered by objections derived from the severity of the English laws against Catholics.<sup>4</sup> It might indeed occur to him that if the extremity of religious zeal were ever to abate among Christian sects, one of them must begin ; and nothing would be more honorable for England than to have led the way in sentiments so wise and moderate.

<sup>3</sup> Kennet, p. 749.

<sup>4</sup> Franklyn, p. 69. Rushworth, vol. i. p. 63.

Not only the religious Puritans murmured at this tolerating measure of the king; the lovers of civil liberty were alarmed at so important an exertion of prerogative. But, among other dangerous articles of authority, the Kings of England were at that time possessed of the dispensing power; at least, were in the constant practice of exercising it. Besides, though the royal prerogative in civil matters was then extensive, the princes, during some late reigns, had been accustomed to assume a still greater in ecclesiastical; and the king failed not to represent the toleration of Catholics as a measure entirely of that nature.

By James's concession in favor of the Catholics, he attained his end. The same religious motives which had hitherto rendered the court of Madrid insincere in all the steps taken with regard to the marriage were now the chief cause of promoting it. By its means it was there hoped the English Catholics would for the future enjoy ease and indulgence, and the infanta would be the happy instrument of procuring to the Church some tranquillity, after the many severe persecutions which it had hitherto undergone. The Earl of Bristol, a minister of vigilance and penetration, and who had formerly opposed all alliance with Catholics,<sup>5</sup> was now fully convinced of the sincerity of Spain; and he was ready to congratulate the king on the entire completion of his views and projects.<sup>6</sup> A daughter of Spain, whom he represents as extremely accomplished, would soon, he said, arrive in England, and bring with her an immense fortune of two millions of pieces of eight, or six hundred thousand pounds sterling—a sum four times greater than Spain had ever before given with any princess, and almost equal to all the money which the Parliament, during the whole course of this reign, had hitherto granted to the king. But what was of more importance to James's honor and happiness, Bristol considered this match as an infallible prognostic of the Palatine's restoration; nor would Philip, he thought, ever have bestowed his sister and so large a fortune under the prospect of entering next day into a war with England. So exact was his intelligence that the most secret counsels of the Spaniards, he boasts, had never escaped him;<sup>7</sup> and he found that they had all along considered the marriage of the infanta and the restitution of the Palatinate as measures

<sup>5</sup> Rushworth, vol. i. p. 292.

<sup>6</sup> Rushworth, vol. i. p. 69.

<sup>7</sup> Rushworth, vol. i. p. 272.

closely connected or altogether inseparable.<sup>8</sup> However little calculated James's character to extort so vast a concession, however improper the measures which he had pursued for attaining that end, the ambassador could not withstand the plain evidence of facts by which Philip now demonstrated his sincerity. Perhaps, too, like a wise man, he considered that reasons of state, which are supposed solely to influence the councils of monarchs, are not always the motives which there predominate; that the milder views of gratitude, honor, friendship, generosity, are frequently able, among princes as well as private persons, to counterbalance these selfish considerations; that the justice and moderation of James had been so conspicuous in all these transactions, his reliance on Spain, his confidence in her friendship, that he had at last obtained the cordial alliance of that nation, so celebrated for honor and fidelity: or if politics must still be supposed the ruling motive of all public measures, the maritime power of England was so considerable, and the Spanish dominions so divided, as might well induce the council of Philip to think that a sincere friendship with the masters of the sea could not be purchased by too great concessions.<sup>9</sup> And as James, during so many years, had been allured and seduced by hopes and protestations, his people enraged by delays and disappointments, it would probably occur that there was now no medium left between the most inveterate hatred and the most intimate alliance between the nations; not to mention that, as a new spirit began about this time to animate the councils of France, the friendship of England became every day more necessary to the greatness and security of the Spanish monarch.

All measures being, therefore, agreed on between the parties, naught was wanting but the dispensation from Rome, which might be considered as a mere formality.<sup>10</sup> The king, justified by success, now exulted in his pacific counsels, and boasted of his superior sagacity and penetration, when all these flattering prospects were blasted by the temerity of a man whom he had fondly exalted from a private condition to be the bane of himself, of his family, and of his people.

<sup>8</sup> We find by private letters between Philip IV. and the Conde Olivarez, shown by the latter to Buckingham, that the marriage and the restitution of the Palatinate were always considered by the court of Spain as inseparable. See Franklyn, pp. 71, 72. Rushworth, vol. i. pp. 71, 280, 299, 300. Parl. Hist. vol. vi. p. 66.

<sup>9</sup> Franklyn, p. 72.

<sup>10</sup> Rushworth, vol. i. p. 66.

Ever since the fall of Somerset, Buckingham had governed, with an uncontrolled sway, both the court and nation; and could James's eyes have been opened, he had now full opportunity of observing how unfit his favorite was for the high station to which he was raised. Some accomplishments of a courtier he possessed—of every talent of a minister he was utterly destitute. Headstrong in his passions, and incapable equally of prudence and of dissimulation; sincere from violence rather than candor; expensive from profusion more than generosity; a warm friend, a furious enemy, but without any choice or discernment in either: with these qualities he had early and quickly mounted to the highest rank, and partook at once of the insolence which attends a fortune newly acquired and the impetuosity which belongs to persons born in high stations and unacquainted with opposition.

[1623.] Among those who had experienced the arrogance of this overgrown favorite, the Prince of Wales himself had not been entirely spared; and a great coldness, if not an enmity, had, for that reason, taken place between them. Buckingham, desirous of an opportunity which might connect him with the prince and overcome his aversion, and at the same time envious of the great credit acquired by Bristol in the Spanish negotiation, bethought him of an expedient by which he might at once gratify both these inclinations. He represented to Charles that persons of his exalted station were peculiarly unfortunate in their marriage, the chief circumstance in life, and commonly received into their arms a bride unknown to them, to whom they were unknown; not endeared by sympathy, not obliged by service; wooed by treaties alone, by negotiations, by political interest; that, however accomplished the infanta, she must still consider herself as a melancholy victim of state, and could not but think with aversion of that day when she was to enter the bed of a stranger, and, passing into a foreign country and a new family, bid adieu forever to her father's house and to her native land; that it was in the prince's power to soften all these rigors, and lay such an obligation on her as would attach the most indifferent temper, as would warm the coldest affections; that his journey to Madrid would be an unexpected gallantry which would equal all the fictions of Spanish romance, and, suiting the amorous and enterprising character of that nation, must immediately introduce him



to the princess under the agreeable character of a devoted lover and daring adventurer; that the negotiations with regard to the Palatinate, which had hitherto languished in the hands of ministers, would quickly be terminated by so illustrious an agent, seconded by the mediation and entreaties of the grateful infanta; that Spanish generosity, moved by that unexampled trust and confidence, would make concessions beyond what could be expected from political views and considerations; and that he would quickly return to the king with the glory of having re-established the unhappy Palatine by the same enterprise which procured him the affections and the person of the Spanish princess.<sup>11</sup>

The mind of the young prince, replete with candor, was inflamed by these generous and romantic ideas, suggested by Buckingham. He agreed to make application to the king for his approbation. They chose the moment of his kindest and most jovial humor, and, more by the earnestness which they expressed than by the force of their reasons, they obtained a hasty and unguarded consent to their undertaking; and, having engaged his promise to keep their purpose secret, they left him in order to make preparations for the journey.

No sooner was the king alone than his temper, more cautious than sanguine, suggested very different views of the matter, and represented every difficulty and danger which could occur. He reflected that, however the world might pardon this sally of youth in the prince, they would never forgive himself, who, at his years and after his experience, could intrust his only son, the heir of his crown, the prop of his age, to the discretion of foreigners, without so much as providing the frail security of a safe-conduct in his favor; that if the Spanish monarch were sincere in his professions, a few months must finish the treaty of marriage and bring the infanta into England; if he were not sincere, the folly was still more egregious of committing the prince into his hands; that Philip, when possessed of so invaluable a pledge, might well rise in his demands and impose harder conditions of treaty; and that the temerity of the enterprise was so apparent that the event, how prosperous soever, could not justify it; and if disastrous, it would render himself infamous to his people and ridiculous to all posterity.<sup>12</sup>

<sup>11</sup> Clarendon, vol. i. pp. 11, 12.

<sup>11</sup> Clarendon, vol. i. p. 14.

Tormented with these reflections, as soon as the prince and Buckingham returned for their despatches, he informed them of all the reasons which had determined him to change his resolution, and he begged them to desist from so foolish an adventure. The prince received the disappointment with sorrowful submission and silent tears; Buckingham presumed to speak in an imperious tone, which he had ever experienced to be prevalent over his too easy master. He told the king that nobody for the future would believe anything he said when he retracted so soon the promise so solemnly given; that he plainly discerned this change of resolution to proceed from another breach of his word in communicating the matter to some rascal who had furnished him with those pitiful reasons which he had alleged, and he doubted not but he should hereafter know who his counsellor had been; and that if he receded from what he had promised, it would be such a disobligation to the prince, who had now set his heart upon the journey after his majesty's approbation, that he could never forget it, nor forgive any man who had been the cause of it.<sup>13</sup>

The king, with great earnestness, fortified by many oaths, made his apology by denying that he had communicated the matter to any; and, finding himself assailed as well by the boisterous importunities of Buckingham as by the warm entreaties of his son, whose applications had hitherto on other occasions been always dutiful, never earnest, he had again the weakness to assent to their proposed journey. It was agreed that Sir Francis Cottington alone, the prince's secretary, and Endymion Porter, gentleman of his bedchamber, should accompany them; and the former being at that time in the antechamber, he was immediately called in by the king's orders.

James told Cottington that he had always been an honest man, and therefore he was now to trust him in an affair of the highest importance, which he was not, upon his life, to disclose to any man whatever. "Cottington," added he, "here is baby Charles and Stenny" (these ridiculous appellations he usually gave to the prince and Buckingham), "who have a great mind to go post into Spain and fetch home the infanta: they will have but two more in their company, and have chosen you for one. What think you of the journey?" Sir Francis, who was a prudent man, and had resided some years in Spain as the king's

<sup>13</sup> Clarendon, vol. i. p. 16.

agent, was struck with all the obvious objections to such an enterprise, and scrupled not to declare them. The king threw himself upon his bed, and cried, "I told you this before;" and fell into a new passion and new lamentations, complaining that he was undone, and should lose baby Charles.

The prince showed by his countenance that he was extremely dissatisfied by Cottington's discourse, but Buckingham broke into an open passion against him. The king, he told him, asked him only of the journey, and of the manner of travelling, particulars of which he might be a competent judge, having gone the road so often by post; but that he, without being called to it, had the presumption to give his advice upon matters of state and against his master, which he should repent as long as he lived. A thousand other reproaches he added, which put the poor king into a new agony in behalf of a servant who, he foresaw, would suffer for answering him honestly. Upon which he said, with some emotion, "Nay, by God, Stenny, you are much to blame for using him so: he answered me directly to the question which I asked him, and very honestly and wisely; and yet, you know, he said no more than I told you before he was called in." However, after all this passion on both sides, James renewed his consent, and proper directions were given for the journey; nor was he now at any loss to discover that the whole intrigue was originally contrived by Buckingham, as well as pursued violently by his spirit and impetuosity.

These circumstances, which so well characterize the persons, seem to have been related by Cottington to Lord Clarendon, from whom they are here transcribed; and, though minute, are not undeserving of a place in history.

The prince and Buckingham, with their two attendants, and Sir Richard Graham, master of horse to Buckingham, passed disguised and undiscovered through France; and they even ventured into a court ball at Paris, where Charles saw the Princess Henrietta, whom he afterwards espoused, and who was at that time in the bloom of youth and beauty. In eleven days after their departure from London they arrived at Madrid, and surprised everybody by a step so unusual among great princes. The Spanish monarch immediately paid Charles a visit, expressed the utmost gratitude for the confidence reposed in him, and made warm protestations of a correspondent confidence and friendship. By

the most studious civilities, he showed the respect which he bore to his royal guest. He gave him a golden key which opened all his apartments, that the prince might, without any introduction, have access to him at all hours; he took the left hand of him on every occasion, except in the apartments assigned to Charles—for there, he said, the prince was at home; Charles was introduced into the palace with the same pomp and ceremony that attends the Kings of Spain on their coronation; the council received public orders to obey him as the king himself; Olivarez, too, though a grandee of Spain, who has the right of being covered before his own king, would not put on his hat in the prince's presence; <sup>14</sup> all the prisons of Spain were thrown open, and all the prisoners received their freedom, as if the event the most honorable and most fortunate had happened to the monarchy; <sup>15</sup> and every sumptuary law with regard to apparel was suspended during Charles's residence in Spain. The infanta, however, was only shown to her lover in public, the Spanish ideas of decency being so strict as not to allow of any further intercourse till the arrival of the dispensation. <sup>16</sup>

The point of honor was carried so far by that generous people that no attempt was made, on account of the advantage which they had acquired, of imposing any harder conditions of treaty. Their pious zeal only prompted them, on one occasion, to desire more concessions in the religious articles; but upon the opposition of Bristol, accompanied with some reproaches, they immediately desisted. The pope, however, hearing of the prince's arrival in Madrid, tacked some new clauses to the dispensation; <sup>17</sup> and it became necessary to transmit the articles to London, that the king might ratify them. This treaty, which was made public, consisted of several articles, chiefly regarding the exercise of the Catholic religion by the infanta and her household. Nothing could reasonably be found fault with, except one article, in which the king promised that the children should be educated by the princess till ten years of age. This condition could not be insisted on but with a view of seasoning their minds with Catholic principles; and though so tender an age seemed a sufficient security against theological prejudices, yet the same reason which made the

<sup>14</sup> Franklyn, p. 73.

<sup>16</sup> Rushworth, vol. i. p. 77.

<sup>15</sup> Franklyn, p. 74.

<sup>17</sup> Rushworth, vol. i. p. 84.



pope insert that article should have induced the king to reject it.

Besides the public treaty, there were separate articles, privately sworn to by the king, in which he promised to suspend the penal laws enacted against Catholics, to procure a repeal of them in Parliament, and to grant a toleration for the exercise of the Catholic religion in private houses.<sup>18</sup> Great murmurs, we may believe, would have arisen against these articles, had they been made known to the public; since we find it to have been imputed as an enormous crime to the prince that, having received, about this time, a very civil letter from the pope, he was induced to return a very civil answer.<sup>19</sup>

Meanwhile, Gregory XV., who granted the dispensation, died, and Urban VIII. was chosen in his place. Upon this event the nuncio refused to deliver the dispensation till it should be renewed by Urban; and that crafty pontiff delayed sending a new dispensation, in hopes that, during the prince's residence in Spain, some expedient might be fallen upon to effect his conversion. The King of England, as well as the prince, became impatient. On the first hint, Charles obtained permission to return, and Philip graced his departure with all the circumstances of elaborate civility and respect which had attended his reception. He even erected a pillar on the spot where they took leave of each other, as a monument of mutual friendship; and the prince, having sworn to the observance of all the articles, entered on his journey, and embarked on board the English fleet at St. Andero.

The character of Charles, composed of decency, reserve, modesty, sobriety—virtues so agreeable to the manners of the Spaniards; the unparalleled confidence which he had reposed in their nation; the romantic gallantry which he had practised towards their princess; all these circumstances, joined to his youth and advantageous figure, had endeared him to the whole court of Madrid, and had impressed the most favorable ideas of him.<sup>20</sup> But in the same proportion that the prince was beloved and esteemed was Buckingham despised and hated. His behavior, composed of English familiarity and French vivacity; his sallies of passion; his indecent freedoms with the prince; his dissolute pleas-

<sup>18</sup> Franklyn, p. 80. Rushworth, vol. i. p. 89. Kennet, p. 769.

<sup>19</sup> Rushworth, vol. i. p. 82. Franklyn, p. 77.

<sup>20</sup> Franklyn, p. 80. Rushworth, vol. i. p. 103.

ures; his arrogant, impetuous temper, which he neither could nor cared to disguise—qualities like these could, most of them, be esteemed nowhere, but to the Spaniards were the objects of peculiar aversion.<sup>21</sup> They could not conceal their surprise that such a youth could intrude into a negotiation now conducted to a period by so accomplished a minister as Bristol, and could assume to himself all the merit of it; they lamented the infanta's fate, who must be approached by a man whose temerity seemed to respect no laws, divine or human;<sup>22</sup> and when they observed that he had the imprudence to insult the Conde Duke of Olivarez, their prime minister, every one who was ambitious of paying court to the Spanish became desirous of showing a contempt for the English favorite.

The Duke of Buckingham told Olivarez that his own attachment to the Spanish nation and to the King of Spain was extreme, that he would contribute to every measure which could cement the friendship between England and them, and that his peculiar ambition would be to facilitate the prince's marriage with the infanta; but he added, with a sincerity equally insolent and indiscreet, "With regard to you, sir, in particular, you must not consider me as your friend, but must ever expect from me all possible enmity and opposition." The Conde Duke replied, with a becoming dignity, that he very willingly accepted of what was proffered him; and on these terms the favorites parted.<sup>23</sup>

Buckingham, sensible how odious he was become to the Spaniards, and dreading the influence which that nation would naturally acquire after the arrival of the infanta, resolved to employ all his credit in order to prevent the marriage. By what arguments he could engage the prince to offer such an insult to the Spanish nation, from whom he had met with such generous treatment; by what colors he could disguise the ingratitude and imprudence of such a measure—these are totally unknown to us. We may only conjecture that the many unavoidable causes of delay which had so long prevented the arrival of the dispensation had afforded to Buckingham a pretence for throwing on the Spaniards the imputation of insincerity in the whole treaty. It also appears that his impetuous and domineering character had acquired, what it ever after maintained, a total ascendant over the gentle and modest temper of Charles; and when the

<sup>21</sup> Rushworth, vol. i. p. 101.

<sup>22</sup> Clarendon, vol. i. p. 36.

<sup>23</sup> Rushworth, vol. i. p. 103. Clarendon, vol. i. p. 37.

prince left Madrid he was firmly determined, notwithstanding all his professions, to break off the treaty with Spain.

It is not likely that Buckingham prevailed so easily with James to abandon a project which, during so many years, had been the object of all his wishes, and which he had now unexpectedly conducted to a happy period.<sup>24</sup> A rupture with Spain, the loss of two millions, were prospects little agreeable to this pacific and indigent monarch; but finding his only son bent against a match which had always been opposed by his people and his Parliament, he yielded to difficulties which he had not courage or strength of mind sufficient to overcome. The prince, therefore, and Buckingham, on their arrival at London, assumed entirely the direction of the negotiation, and it was their business to seek for pretences, by which they could give a color to their intended breach of treaty.

Though the restitution of the Palatinate had ever been considered by James as a natural or necessary consequence of the Spanish alliance, he had always forbidden his ministers to insist on it as a preliminary article to the conclusion of the marriage treaty. He considered that this principality was now in the hands of the emperor and the Duke of Bavaria; and that it was no longer in the King of Spain's power, by a single stroke of his pen, to restore it to its ancient master. The strict alliance of Spain with these princes would engage Philip, he thought, to soften so disagreeable a demand by every art of negotiation; and many articles must of necessity be adjusted before such an important point could be effected. It was sufficient, in James's opinion, if the sincerity of the Spanish court could for the present be ascertained; and, dreading further delays of the marriage so long wished for, he was resolved to trust the Palatine's full restoration to the event of future counsels and deliberations.<sup>25</sup>

This whole system of negotiation Buckingham now reversed, and he overturned every supposition upon which the treaty had hitherto been conducted. After many fruitless artifices were employed to delay or prevent the espousals, Bristol received positive orders not to deliver the proxy, which had been left in his hands, or to finish the marriage till security were given for the full restitution of the Palatinate.<sup>26</sup> Philip understood this language. He

<sup>24</sup> Hacket's Life of Williams.

<sup>25</sup> Parliamentary History, vol. vi. p. 57.

<sup>26</sup> Rushworth, vol. i. p. 105. Kennet, p. 776.

had been acquainted with the disgust received by Buckingham; and deeming him a man capable of sacrificing to his own ungovernable passions the greatest interests of his master and of his country, he had expected that the unbounded credit of that favorite would be employed to embroil the two nations. Determined, however, to throw the blame of the rupture entirely on the English, he delivered into Bristol's hand a written promise by which he bound himself to procure the restoration of the Palatinate, either by persuasion or by every other possible means; and when he found that this concession gave no satisfaction, he ordered the infant to lay aside the title of Princess of Wales, which she bore after the arrival of the dispensation from Rome, and to drop the study of the English language;<sup>27</sup> and, thinking that such rash counsels as now governed the court of England would not stop at the breach of the marriage treaty, he ordered preparations for war immediately to be made throughout all his dominions.<sup>28</sup>

Thus James, having by means inexplicable from the ordinary rules of politics, conducted so near an honorable period the marriage of his son and the restoration of his son-in-law, failed at last of his purpose by means equally unaccountable.

But though the expedients already used by Buckingham were sufficiently inglorious both for himself and for the nation, it was necessary for him, ere he could fully effect his purpose, to employ artifices still more dishonorable.

[1624.] The king, having broken with Spain, was obliged to concert new measures; and, without the assistance of Parliament, no effectual step of any kind could be taken. The benevolence which, during the interval, had been rigorously exacted for recovering the Palatinate, though levied for so popular an end, had procured to the king less money than ill-will from his subjects.<sup>29</sup> Whatever discouragements, therefore, he might receive from his ill agreement with former parliaments, there was a necessity of summoning once more this assembly; and it might be hoped that the Spanish alliance, which gave such unbrage, being abandoned, the Commons

<sup>27</sup> Franklyn, p. 80. Rushworth, vol. i. p. 112. <sup>28</sup> Rushworth, vol. i. p. 114.

<sup>29</sup> To show by what violent measures benevolences were usually raised, Johnstone tells us, in his *Rerum Britannicarum Historia*, that Barnes, a citizen of London, was the first who refused to contribute anything; upon which the treasurer sent him word that he must immediately prepare himself to carry by post a despatch into Ireland. The citizen was glad to make his peace by paying a hundred pounds, and no one durst afterwards refuse the benevolence required. See, further, Coke, p. 80.



would now be better satisfied with the king's administration. In his speech to the Houses, James dropped some hints of his cause of complaint against Spain; and he graciously condescended to ask the advice of Parliament, which he had ever before rejected, with regard to the conduct of so important an affair as his son's marriage.<sup>30</sup> Buckingham delivered to a committee of Lords and Commons a long narrative, which he pretended to be true and complete, of every step taken in the negotiations with Philip; but partly by the suppression of some facts, partly by the false coloring laid on others, this narrative was calculated entirely to mislead the Parliament, and to throw on the court of Spain the reproach of artifice and insincerity. He said that after many years' negotiation, the king found not himself any nearer his purpose, and that Bristol had never brought the treaty beyond general professions and declarations; that the prince, doubting the good intentions of Spain, resolved at last to take a journey to Madrid, and put the matter to the utmost trial; that he there found such artificial dealings as made him conclude all the steps taken towards the marriage to be false and deceitful; that the restitution of the Palatinate, which had ever been regarded by the king as an essential preliminary, was not seriously intended by Spain; and that, after enduring much bad usage, the prince was obliged to return to England without any hopes either of obtaining the infanta or of restoring the Elector Palatine.<sup>31</sup>

This narrative, which, considering the importance of the occasion and the solemnity of that assembly to which it was delivered, deserves great blame, was yet vouched for truth by the Prince of Wales, who was present; and the king himself lent it indirectly his authority by telling the Parliament that it was by his orders Buckingham laid the whole affair before them. The conduct of these princes it is difficult fully to excuse. It is in vain to plead the youth and inexperience of Charles, unless his inexperience and youth, as is probable,<sup>32</sup> if not certain, really led him into error and made him swallow all the falsities of Buckingham; and though the king was here hurried from his own measures by the impetuosity of others, nothing should have induced him to prostitute his character and seem to vouch the im-

<sup>30</sup> Franklyn, p. 79. Rushworth, vol. i. p. 115. Kennet, p. 778.

<sup>31</sup> Franklyn, pp. 89, 90, 91, etc. Rushworth, vol. i. pp. 119, 120, etc. Parliamentary History, vol. vi. pp. 20, 21, etc.

<sup>32</sup> See note [E] at the end of the volume.

postures, at least false colorings, of his favorite, of which he had so good reason to entertain a suspicion.<sup>33</sup>

Buckingham's narrative, however artfully disguised, contained so many contradictory circumstances as were sufficient to open the eyes of all reasonable men; but it concurred so well with the passions and prejudices of the Parliament that no scruple was made of immediately adopting it.<sup>34</sup> Charmed with having obtained at length the opportunity so long wished for of going to war with Papists, they little thought of future consequences; but immediately advised the king to break off both treaties with Spain, as well as that which regarded the marriage as that for the restitution of the Palatinate.<sup>35</sup> The people, ever greedy of war till they suffer by it, displayed their triumph at these violent measures by public bonfires and rejoicings, and by insults on the Spanish ministers. Buckingham was now the favorite of the public and of the Parliament; Sir Edward Coke, in the House of Commons, called him the savior of the nation; <sup>36</sup> every place resounded with his praises; and he himself, intoxicated by a popularity which he enjoyed so little time, and which he so ill deserved, violated all duty to his indulgent master, and entered into cabals with the puritanical members who had ever opposed the royal authority. He even encouraged schemes for abolishing the order of bishops and selling the dean and chapter lands, in order to defray the expenses of a Spanish war; and the king, though he still entertained projects for temporizing and for forming an accommodation with Spain, was so borne down by the torrent of popular prejudices, conducted and increased by Buckingham, that he was at last obliged, in a speech to Parliament, to declare in favor of hostile measures if they would engage to support him.<sup>37</sup> Doubts of their sincerity in this respect—doubts which the event showed not to be ill-grounded—had probably been one cause of his former pacific and dilatory measures.

In his speech on this occasion, the king began with lamenting his own unhappiness; that, having so long valued himself on the epithet of the pacific monarch, he should now,

<sup>33</sup> It must, however, be confessed that the king afterwards warned the House not to take Buckingham's narrative for his, though it was laid before them by his order. *Parliamentary History*, vol. vi. p. 104. James was probably ashamed to have been carried so far by his favorite.

<sup>34</sup> *Parliamentary History*, vol. vi. p. 75.

<sup>35</sup> Franklyn, p. 98. Rushworth, vol. i. p. 128. *Parliamentary History*, vol. vi. p. 103.

<sup>36</sup> Clarendon, vol. i. p. 6.

<sup>37</sup> Franklyn, pp. 94, 95. Rushworth, vol. i. pp. 1.9, 130.

in his old age, be obliged to exchange the blessings of peace for the inevitable calamities of war. He represented to them the immense and continued expense requisite for military armaments; and, besides supplies from time to time as they should become necessary, he demanded a vote of six subsidies and twelve fifteenths as a proper stock before the commencement of hostilities. He told them of his intolerable debts, chiefly contracted by the sums remitted to the Palatinate;<sup>38</sup> but he added that he did not insist on any supply for his own relief, and that it was sufficient for him if the honor and security of the public were provided for. To remove all suspicion, he who had ever strenuously maintained his prerogative, and who had even extended it into some points esteemed doubtful, now made an imprudent concession of which the consequences might have proved fatal to royal authority. He voluntarily offered that the money voted should be paid to a committee of Parliament, and should be issued by them without being intrusted to his management.<sup>39</sup> The Commons willingly accepted of this concession so unusual in an English monarch: they voted him only three subsidies and three fifteenths,<sup>40</sup> and they took no notice of the complaints which he made of his own wants and necessities.

Advantage was also taken of the present good agreement between the king and Parliament in order to pass the bill against monopolies, which had formerly been encouraged by the king, but which had failed by the rupture between him and the last House of Commons. This bill was conceived in such terms as to render it merely declaratory; and all monopolies were condemned as contrary to law and to the known liberties of the people. It was there supposed that every subject of England had entire power to dispose of his own actions, provided he did no injury to any of his fellow-subjects; and that no prerogative of the king, no power of any magistrate, nothing but the authority alone of laws, could restrain that unlimited freedom. The full prosecution of this noble principle into all its natural consequences has at last, through many contests, produced that singular and happy government which we enjoy at present.<sup>41</sup>

The House of Commons also corroborated, by a new precedent, the important power of impeachment, which, two

<sup>38</sup> See note [F] at the end of the volume.

<sup>39</sup> Rushworth, vol. i. p. 137.

<sup>40</sup> Less than three hundred thousand pounds.

<sup>41</sup> See note [G] at the end of the volume.

years before, they had exercised in the case of Chancellor Bacon, and which had lain dormant for near two centuries, except when they served as instruments of royal vengeance. The Earl of Middlesex had been raised, by Buckingham's interest, from the rank of a London merchant to be treasurer of England; and, by his activity and address, seemed not unworthy of that preferment. But as he incurred the displeasure of his patron by scrupling or refusing some demands of money during the prince's residence in Spain, that favorite vowed revenge, and employed all his credit among the Commons to procure an impeachment of the treasurer. The king was extremely dissatisfied with this measure, and prophesied to the prince and duke that they would live to have their fill of parliamentary prosecutions.<sup>42</sup> In a speech to the Parliament, he endeavored to apologize for Middlesex, and to soften the accusation against him.<sup>43</sup> The charge, however, was still maintained by the Commons; and the treasurer was found guilty by the Peers, though the misdemeanors proved against him were neither numerous nor important. The accepting of two presents of five hundred pounds apiece, for passing two patents, was the article of greatest weight. His sentence was to be fined fifty thousand pounds for the king's use, and to suffer all the other penalties formerly inflicted upon Bacon. The fine was afterwards remitted by the prince when he mounted the throne.

This session an address was also made, very disagreeable to the king, craving the severe execution of the laws against Catholics. His answer was gracious and condescending;<sup>44</sup> though he declared against persecution as being an improper measure for the suppression of any religion, according to the received maxim "that the blood of the martyrs was the seed of the Church." He also condemned an entire indulgence of the Catholics, and seemed to represent a middle course as the most humane and most politic. He went so far as even to affirm, with an oath, that he never had entertained any thoughts of granting a toleration to these religionists.<sup>45</sup> The liberty of exercising their worship in private houses, which he had secretly agreed to in the Spanish treaty, did not appear to him deserving that name, and it was probably by means of this explication he thought that he had saved his honor; and as Buckingham,

<sup>42</sup> Clarendon, vol. i. p. 23.

<sup>44</sup> Franklyn, pp. 101, 102.

<sup>43</sup> Parliamentary History, vol. vi. p. 19.

<sup>45</sup> See, further, Franklyn, p. 87.



in his narrative,<sup>46</sup> confessed that the king had agreed to a temporary suspension of the penal laws against the Catholics, which he distinguished from a toleration, a term at that time extremely odious, James naturally deemed his meaning to be sufficiently explained, and feared not any reproach of falsehood or duplicity on account of this asseveration. After all these transactions, the Parliament was prorogued by the king, who let fall some hints, though in gentle terms, of the sense which he entertained of their unkindness in not supplying his necessities.<sup>47</sup>

James, unable to resist so strong a combination as that of his people, his Parliament, his son, and his favorite, had been compelled to embrace measures for which, from temper as well as judgment, he had ever entertained a most settled aversion. Though he dissembled his resentment, he began to estrange himself from Buckingham, to whom he ascribed all those violent counsels, and whom he considered as the author both of the prince's journey to Spain and of the breach of the marriage treaty. The arrival of Bristol he impatiently longed for; and it was by the assistance of that minister, whose wisdom he respected and whose views he approved, that he hoped in time to extricate himself from his present difficulties.

During the prince's abode in Spain, that able negotiator had ever opposed, though unsuccessfully, to the impetuous measures suggested by Buckingham his own wise and well-tempered counsels. After Charles's departure he still, upon the first appearance of a change of resolution, interposed his advice, and strenuously insisted on the sincerity of the Spaniards in the conduct of the treaty as well as the advantages which England must reap from the completion of it. Enraged to find that his successful labors should be rendered abortive by the levities and caprices of an insolent minion, he would understand no hints; and nothing but express orders from his master could engage him to make that demand which he was sensible must put a final period to the treaty. He was not therefore surprised to hear that Buckingham had declared himself his open enemy, and, on all occasions, had thrown out many violent reflections against him.

Nothing could be of greater consequence to Buckingham than to keep Bristol at a distance, both from the king and the Parliament, lest the power of truth enforced by so well-

<sup>46</sup> Parliamentary History, vol. vi. p. 37.

<sup>47</sup> Franklyn, p. 103.

informed a speaker should open scenes which were but suspected by the former, and of which the latter had as yet entertained no manner of jealousy. He applied, therefore, to James, whose weakness, disguised to himself under the appearance of finesse and dissimulation, was now become absolutely incurable. A warrant for sending Bristol to the Tower was issued immediately upon his arrival in England;<sup>48</sup> and though he was soon released from confinement, yet orders were carried him from the king to retire to his country-seat and to abstain from all attendance in Parliament. He obeyed; but loudly demanded an opportunity of justifying himself, and of laying his whole conduct before his master. On all occasions he protested his innocence, and threw on his enemy the blame of every miscarriage. Buckingham, and at his instigation the prince, declared that they would be reconciled to Bristol if he would but acknowledge his errors and ill-conduct; but the spirited nobleman, jealous of his honor, refused to buy favor at so high a price. James had the equity to say that the insisting on that condition was a strain of unexampled tyranny; but Buckingham scrupled not to assert, with his usual presumption, that neither the king, the prince, nor himself, was as yet satisfied of Bristol's innocence.<sup>49</sup>

While the attachment of the prince to Buckingham, while the timidity of James, or the shame of changing his favorite, kept the whole court in awe, the Spanish ambassador, Inoiosa, endeavored to open the king's eyes, and to cure his fears by instilling greater fears into him. He privately slipped into his hand a paper, and gave him a signal to read it alone. He there told him that he was as much a prisoner at London as ever Francis I. was at Madrid; that the prince and Buckingham had conspired together and had the whole court at their devotion; that cabals among the popular leaders in Parliament were carrying on to the extreme prejudice of his authority; that the project was to confine him to some of his hunting-seats, and to commit the whole administration to Charles; and that it was necessary for him by one vigorous effort to vindicate his authority and to punish those who had so long and so much abused his friendship and beneficence.<sup>50</sup>

What credit James gave to this representation does not appear. He only discovered some faint symptoms, which

<sup>48</sup> Rushworth, vol. i. p. 145.

<sup>49</sup> Rushworth, vol. i. p. 259.

<sup>50</sup> Rushworth, vol. i. p. 144. Hacket's Life of Williams. Coke, p. 107.

he instantly retracted, of dissatisfaction with Buckingham. All his public measures, and all the alliances into which he entered, were founded on the system of enmity to the Austrian family and of war to be carried on for the recovery of the Palatinate.

The States of the United Provinces were at this time governed by Maurice; and that aspiring prince, sensible that his credit would languish during peace, had, on the expiration of the twelve years' truce, renewed the war with the Spanish monarchy. His great capacity in the military art would have compensated the inferiority of his forces, had not the Spanish armies been commanded by Spinola, a general equally renowned for conduct and more celebrated for enterprise and activity. In such a situation nothing could be more welcome to the republic than the prospect of a rupture between James and the Catholic king; and they flattered themselves, as well from the natural union of interests between them and England as from the influence of the present conjuncture, that powerful succors would soon march to their relief. Accordingly, an army of six thousand men was levied in England and sent over to Holland, commanded by four young noblemen—Essex, Oxford, Southampton, and Willoughby—who were ambitious of distinguishing themselves in so popular a cause, and of acquiring military experience under so renowned a captain as Maurice.

It might have been reasonably expected that as religious zeal had made the recovery of the Palatinate appear a point of such vast importance in England, the same effect must have been produced in France by the force merely of political views and considerations. While that principality remained in the hands of the house of Austria, the French dominions were surrounded on all sides by the possessions of that ambitious family, and might be invaded by superior forces from every quarter. It concerned the King of France, therefore, to prevent the peaceable establishment of the emperor in his new conquests; and both by the situation and greater power of his state he was much better enabled than James to give succor to the distressed Palatine.<sup>51</sup> But though these views escaped not Louis, nor Cardinal Richelieu, who now began to acquire an ascendant in the French court, that minister was determined to pave the way for his enterprises by first subduing the Huguenots, and thence to proceed by mature counsels to humble the house of Austria.

<sup>51</sup> See Collection of State Papers by the Earl of Clarendon, p. 393.

The prospect, however, of a conjunction with England was presently embraced, and all imaginable encouragement was given to every proposal for conciliating a marriage between Charles and the Princess Henrietta.

Notwithstanding the sensible experience which James might have acquired of the insurmountable antipathy entertained by his subjects against an alliance with Catholics, he still persevered in the opinion that his son would be degraded by receiving into his bed a princess of less than royal extraction. After the rupture, therefore, with Spain, nothing remained but an alliance with France; and to that court he immediately applied himself.<sup>52</sup> The same allurements had not here place which had so long entangled him in the Spanish negotiation. The portion promised was much inferior, and the peaceable restoration of the Palatine could not thence be expected. But James was afraid lest his son should be altogether disappointed of a bride; and, therefore, as soon as the French king demanded, for the honor of his crown, the same terms which had been granted to the Spanish, he was prevailed with to comply. And as the prince during his abode in Spain, had given a verbal promise to allow the infanta the education of her children till the age of thirteen, this article was here inserted in the treaty; and to that imprudence is generally imputed the present distressed condition of his posterity. The court of England, however, it must be confessed, always pretended, even in their memorials to the French court, that all the favorable conditions granted to the Catholics were inserted in the marriage treaty merely to please the pope, and that their strict execution was, by an agreement with France, secretly dispensed with.<sup>53</sup>

As much as the conclusion of the marriage treaty was acceptable to the king, as much were all the military enterprises disagreeable, both from the extreme difficulty of the undertaking in which he was engaged and from his own incapacity for such a scene of action.

During the Spanish negotiation, Heidelberg and Mannheim had been taken by the imperial forces; and Frankendale, though the garrison was entirely English, was closely besieged by them. After reiterated remonstrances from James, Spain interposed and procured a suspension of arms during eighteen months. But as Frankendale was the only place of Frederick's ancient dominions which was still in his

<sup>52</sup> Rushworth, vol. i. p. 152.

<sup>53</sup> See note [H] at the end of the volume.



hands, Ferdinand, desirous of withdrawing his forces from the Palatinate, and of leaving that state in security, was unwilling that so important a fortress should remain in the possession of his enemy. To compromise all differences, it was agreed to sequester it into the hands of the infanta as a neutral person; upon condition that, after the expiration of the truce, it should be delivered to Frederick, though peace should not at that time be concluded between him and Ferdinand.<sup>54</sup> After the unexpected rupture with Spain, the infanta, when James demanded the execution of the treaty, offered him peaceable possession of Frankendale, and even promised a safe-conduct for the garrison through the Spanish Netherlands. But there was some territory of the empire interposed between her state and the Palatinate; and for passage over that territory no terms were stipulated.<sup>55</sup> By this chicane, which certainly had not been employed if amity with Spain had been preserved, the Palatine was totally dispossessed of his patrimonial dominions.

The English nation, however, and James's warlike council were not discouraged. It was still determined to reconquer the Palatinate—a state lying in the midst of Germany, possessed entirely by the emperor and Duke of Bavaria, surrounded by potent enemies, and cut off from all communication with England. Count Mansfeldt was taken into pay, and an English army of twelve thousand foot and two hundred horse was levied by a general press throughout the kingdom. During the negotiation with France vast promises had been made, though in general terms, by the French ministry, not only that a free passage should be granted to the English troops, but that powerful succor should also join them in their march towards the Palatinate. In England, all these professions were hastily interpreted to be positive engagements. The troops under Mansfeldt's command were embarked at Dover; but, upon sailing over to Calais, found no orders yet arrived for their admission. After waiting in vain during some time, they were obliged to sail towards Zealand, where it had also been neglected to concert proper measures for their disembarkation; and some scruples arose among the States on account of the scarcity of provisions. Meanwhile a pestilential distemper crept in among the English forces, so long cooped up in narrow vessels. Half the army died while on board; and the other half, weakened by sickness, appeared too small a body

<sup>54</sup> Rushworth, vol. i. p. 74.

<sup>55</sup> Rushworth, vol. i. p. 15.

to march into the Palatinate.<sup>56</sup> And thus ended this ill-concerted and fruitless expedition, the only disaster which happened to England during the prosperous and pacific reign of James.

[1625.] That reign was now drawing towards a conclusion. With peace, so successfully cultivated and so passionately loved by this monarch, his life also terminated. This spring he was seized with a tertian ague; and when encouraged by his courtiers with the common proverb that such a distemper, during that season, was health for a king, he replied that the proverb was meant for a young king. After some fits he found himself extremely weakened, and sent for the prince, whom he exhorted to bear a tender affection for his wife, but to preserve a constancy in religion, to protect the Church of England, and to extend his care towards the unhappy family of the Palatine.<sup>57</sup> With decency and courage he prepared himself for his end; and he expired on the 27th of March, after a reign over England of twenty-two years and some days, and in the fifty-ninth year of his age. His reign over Scotland was almost of equal duration with his life. In all history it would be difficult to find a reign less illustrious, yet more unspotted and unblemished, than that of James in both kingdoms.

No prince, so little enterprising and so inoffensive, was ever so much exposed to the opposite extremes of calumny and flattery, of satire and panegyric; and the factions which began in his time, being still continued, have made his character be as much disputed to this day as is commonly that of princes who are our contemporaries. Many virtues, however, it must be owned, he was possessed of; but scarce any of them pure or free from the contagion of the neighboring vices. His generosity bordered on profusion, his learning on pedantry, his pacific disposition on pusillanimity, his wisdom on cunning, his friendship on light fancy and boyish fondness. While he imagined that he was only maintaining his own authority, he may perhaps be suspected, in a few of his actions, and still more of his pretensions, to have somewhat encroached on the liberties of his people; while he endeavored, by an exact neutrality, to acquire the goodwill of all his neighbors, he was able to preserve fully the esteem and regard of none. His capacity was considerable, but fitter to discourse on general maxims than to conduct

<sup>56</sup> Franklyn, p. 104. Rushworth, vol. i. p. 154. Dugdale, p. 24.

<sup>57</sup> Rushworth, vol. i. p. 155.

any intricate business; his intentions were just, but more adapted to the conduct of private life than to the government of kingdoms. Awkward in his person and ungainly in his manners, he was ill qualified to command respect; partial and undiscerning in his affections, he was little fitted to acquire general love. Of a feeble temper more than of a frail judgment; exposed to our ridicule from his vanity, but exempt from our hatred by his freedom from pride and arrogance. And, upon the whole, it may be pronounced of his character that all his qualities were sullied with weakness and embellished by humanity. Of political courage he certainly was destitute; and thence chiefly is derived the strong prejudice which prevails against his personal bravery—an inference, however, which must be owned, from general experience, to be extremely fallacious.

He was only once married, to Anne of Denmark, who died on the 3rd of March, 1619, in the forty-fifth year of her age: a woman eminent neither for her vices nor her virtues. She loved shows and expensive amusements, but possessed little taste in her pleasures. A great comet appeared about the time of her death, and the vulgar esteemed it the prognostic of that event. So considerable in their eyes are even the most insignificant princes.

He left only one son, Charles, then in the twenty-fifth year of his age, and one daughter, Elizabeth, married to the Elector Palatine. She was aged twenty-nine years. Those alone remained of six legitimate children born to him. He never had any illegitimate; and he never discovered any tendency, even the smallest, towards a passion for any mistress.

The archbishops of Canterbury, during this reign, were Whitgift, who died in 1604; Bancroft, in 1610; Abbot, who survived the king. The chancellors, Lord Ellesmore, who resigned in 1617; Bacon was first lord keeper till 1619; then was created chancellor, and was displaced in 1621; Williams, Bishop of Lincoln, was created lord keeper in his place. The high treasurers were the Earl of Dorset, who died in 1609; the Earl of Salisbury, in 1612; the Earl of Suffolk, fined and displaced for bribery in 1618; Lord Mandeville, resigned in 1621; the Earl of Middlesex, displaced in 1624; the Earl of Marlborough succeeded. The lord admirals were the Earl of Nottingham, who resigned in 1618; the Earl, afterwards Duke, of Buckingham. The secretaries of state were the Earl of Salisbury, Sir Ralph

Winwood, Nanton, Calvert, Lord Conway, Sir Albertus Moreton.

The numbers of the House of Lords in the first Parliament of this reign were seventy-eight temporal peers. The numbers in the first Parliament of Charles were ninety-seven. Consequently James, during that period, created nineteen new peerages above those that expired.

The House of Commons, in the first Parliament of this reign, consisted of four hundred and sixty-seven members. It appears that four boroughs revived their charters, which they had formerly neglected. And as the first Parliament of Charles consisted of four hundred and ninety-four members, we may infer that James created ten new boroughs.



## APPENDIX TO THE REIGN OF JAMES I.<sup>1</sup>

CIVIL GOVERNMENT OF ENGLAND DURING THIS PERIOD.—EC-CLESIASTICAL GOVERNMENT.—MANNERS.—FINANCES.—NAVY. — COMMERCE. — MANUFACTURES. — COLONIES. — LEARNING AND ARTS.

It may not be improper, at this period, to make a pause, and to take a survey of the state of the kingdom with regard to government, manners, finances, arms, trade, learning. Where a just notion is not formed of these particulars, history can be little instructive, and often will not be intelligible.

We may safely pronounce that the English government, at the accession of the Scottish line, was much more arbitrary than it is at present; the prerogative less limited, the liberties of the subject less accurately defined and secured. Without mentioning other particulars, the courts alone of high commission and Star-chamber were sufficient to lay the whole kingdom at the mercy of the prince.

The court of high commission had been erected by Elizabeth, in consequence of an act of Parliament passed in the beginning of her reign. By this act it was thought proper, during the great revolution of religion, to arm the sovereign with full powers, in order to discourage and suppress opposition. All appeals from the inferior ecclesiastical courts were carried before the high commission, and, of consequence, the whole life and doctrine of the clergy lay directly under its inspection. Every breach of the act of uniformity, every refusal of the ceremonies, was cognizable in this court, and during the reign of Elizabeth had been punished by deprivation, by fine, confiscation, and imprisonment. James contented himself with the gentler penalty of deprivation; nor was that punishment inflicted with rigor on every

<sup>1</sup> This history of the house of Stuart was written and published by the author before the history of the house of Tudor. Hence it happens that some passages, particularly in the present Appendix, may seem to be repetitions of what was formerly delivered in the reign of Elizabeth. The author, in order to obviate this objection, has cancelled some few passages in the foregoing chapters.

offender. Archbishop Spotswood tells us that he was informed by Bancroft, the primate, several years after the king's accession, that not above forty-five clergymen had then been deprived. All the Catholics, too, were liable to be punished by this court if they exercised any act of their religion, or sent abroad their children or other relations to receive that education which they could not procure them in their own country. Popish priests were thrown into prison, and might be delivered over to the law, which punished them with death, though that severity had been sparingly exercised by Elizabeth, and never almost by James. In a word, that liberty of conscience which we so highly and so justly value at present was totally suppressed; and no exercise of any religion but the established was permitted throughout the kingdom. Any word of writing which tended towards heresy or schism was punishable by the high commissioners, or any three of them: they alone were judges what expressions had that tendency. They proceeded not by information, but upon rumor, suspicion, or according to their discretion; they administered an oath by which the party cited before them was bound to answer any question which should be propounded to him. Whoever refused this oath, though he pleaded ever so justly that he might thereby be brought to accuse himself, or his dearest friend, was punishable by imprisonment; and, in short, an inquisitorial tribunal, with all its terrors and iniquities, was erected in the kingdom. Full discretionary powers were bestowed with regard to the inquiry, trial, sentence, and penalty inflicted; excepting only that corporal punishments were restrained by that patent of the prince which erected the court, not by the act of Parliament which empowered him. By reason of the uncertain limits which separate ecclesiastical from civil causes, all accusations of adultery and incest were tried by the court of high commission, and every complaint of wives against their husbands was there examined and discussed.<sup>2</sup> On like pretences, every cause which regarded conscience—that is, every cause—could have been brought under their jurisdiction.

But there was a sufficient reason why the king would not be solicitous to stretch the jurisdiction of this court: the Star-chamber possessed the same authority in civil matters, and its methods of proceeding were equally arbitrary and unlimited. The origin of this court was derived

<sup>2</sup> Rymer, vol. xvii. p. 200.

from the most remote antiquity,<sup>3</sup> though it is pretended that its power had first been carried to the greatest height by Henry VII. In all times, however, it is confessed, it enjoyed authority, and at no time was its authority circumscribed or method of proceeding directed by any law or statute.

We have had already, or shall have, sufficient occasion, during the course of this history, to mention the dispensing power, the power of imprisonment, of exacting loans<sup>4</sup> and benevolence, of pressing and quartering soldiers, of altering the customs, of erecting monopolies. These branches of power, if not directly opposite to the principles of all free government, must at least be acknowledged dangerous to freedom in a monarchical constitution, where an eternal jealousy must be preserved against the sovereign, and no discretionary powers must ever be intrusted to him by which the property or personal liberty of any subject can be affected. The Kings of England, however, had almost constantly exercised these powers; and if on any occasion the prince had been obliged to submit to laws enacted against them, he had ever in practice eluded these laws and returned to the same arbitrary administration. During almost three centuries before the accession of James, the regal authority in all these particulars had never once been called in question.

We may also observe that the principles in general which prevailed during that age were so favorable to monarchy that they bestowed on it an authority almost absolute and unlimited, sacred and indefeasible.

The meetings of Parliament were so precarious, their sessions so short compared to the vacations, that, when men's eyes were turned upwards in search of sovereign power, the prince alone was apt to strike them as the only permanent magistrate invested with the whole majesty and authority of the state. The great complaisance, too, of parliaments during so long a period had extremely degraded and obscured those assemblies; and as all instances of opposition to prerogative must have been drawn from a remote age, they were unknown to a great many, and had the less

<sup>3</sup> Rushworth, vol. ii. p. 473. In Chambers's case, it was the unanimous opinion of the court of King's Bench that the court of Star-chamber was not derived from the statute of Henry VII., but was a court many years before, and one of the most high and honorable courts of justice. See Coke's Rep. term Mich. 5 Car. I. See, further, Camden's Brit. vol. i. Introd. p. 254, edit. of Gibson.

<sup>4</sup> During several centuries, no reign had passed without some forced loans from the subject.

authority even with those who were acquainted with them. These examples, besides, of liberty had commonly, in ancient times, been accompanied with such circumstances of violence, convulsion, civil war, and disorder that they presented but a disagreeable idea to the inquisitive part of the people, and afforded small inducement to renew such dismal scenes. By a great many, therefore, monarchy, simple and unmixed, was conceived to be the government of England; and those popular assemblies were supposed to form only the ornament of the fabric, without being in any degree essential to its being and existence.<sup>5</sup> The prerogative of the crown was represented by lawyers as something real and durable; like those eternal essences of the schools which no time or force could alter. The sanction of religion was by divines called in aid, and the Monarch of heaven was supposed to be interested in supporting the authority of his earthly vicegerent. And though it is pretended that these doctrines were more openly inculcated and more strenuously insisted on during the reign of the Stuarts, they were not then invented; and were only found by the court to be more necessary at that period, by reason of the opposite doctrine which *began* to be promulgated by the puritanical party.<sup>6</sup>

In consequence of these exalted ideas of kingly authority, the prerogative, besides the articles of jurisdiction founded on precedent, was by many supposed to possess an inexhaustible fund of latent powers which might be exerted on any emergency. In every government, necessity, when real, supersedes all laws and levels all limitations; but in the English government, convenience alone was conceived to authorize any extraordinary act of regal power, and to render it obligatory on the people. Hence the strict obedience required to proclamations during all periods of the English history; and if James has incurred blame on account of his edicts, it is only because he too frequently issued them at a time when they began to be less regarded, not because he first assumed or extended to an unusual degree that exercise of authority. Of his maxims in a parallel case, the following is a pretty remarkable instance:

Queen Elizabeth had appointed commissioners for the inspection of prisons, and had bestowed on them full discretionary powers to adjust all differences between prisoners and their creditors, to compound debts, and to give liberty

<sup>5</sup> See note [I] at the end of the volume.

<sup>6</sup> See note [K] at the end of the volume.



to such debtors as they found honest and insolvent. From the uncertain and undefined nature of the English constitution, doubts sprang up in many that this commission was contrary to law, and it was represented in that light to James. He forebore, therefore, renewing the commission till the fifteenth of his reign, when complaints rose so high with regard to the abuses practised in prisons that he thought himself obliged to overcome his scruples, and to appoint new commissioners invested with the same discretionary powers which Elizabeth had formerly conferred.<sup>7</sup>

Upon the whole we must conceive that monarchy, on the accession of the house of Stuart, was possessed of a very extensive authority—an authority, in the judgment of all, not exactly limited; in the judgment of some, not limitable. But at the same time, this authority was founded merely on the opinion of the people, influenced by ancient precedent and example. It was not supported either by money or by force of arms. And, for this reason, we need not wonder that the princes of that line were so extremely jealous of their prerogative, being sensible that when those claims were ravished from them they possessed no influence by which they could maintain their dignity or support the laws. By the changes which have since been introduced, the liberty and independence of individuals have been rendered much more full, entire and secure; those of the public more uncertain and precarious. And it seems a necessary though perhaps a melancholy truth, that in every government the magistrate must either possess a large revenue and a military force, or enjoy some discretionary powers in order to execute the laws and support his own authority.

We have had occasion to remark, in so many instances, the bigotry which prevailed in that age that we can look for no toleration among the different sects. Two Arians, under the title of heretics, were punished by fire during this period, and no one reign since the Reformation had been free from like barbarities. Stowe says that these Arians were offered their pardon at the stake if they would merit it by a recantation. A madman who called himself the Holy Ghost was, without any indulgence for his frenzy, condemned to the same punishment. Twenty pounds a month could by law be levied on every one who frequented not the established worship. This rigorous law, however, had one indulgent clause, that the fines exacted should not exceed

<sup>7</sup> Rymer, vol. xviii. pp. 117, 594.

two thirds of the yearly income of the person. It had been usual for Elizabeth to allow those penalties to run on for several years, and to levy them all at once, to the utter ruin of such Catholics as had incurred her displeasure. James was more humane in this, as in every other respect. The Puritans formed a sect which secretly lurked in the Church, but pretended not to any separate worship or discipline. An attempt of that kind would have been universally regarded as the most unpardonable enormity. And had the king been disposed to grant the Puritans a full toleration for a separate exercise of their religion, it is certain, from the spirit of the times, that this sect itself would have despised and hated him for it, and would have reproached him with lukewarmness and indifference in the cause of religion. They maintained that they themselves were the only pure Church, that their principles and practices ought to be established by law, and that no others ought to be tolerated. It may be questioned, therefore, whether the administration at this time could with propriety deserve the appellation of persecutors with regard to the Puritans. Such of the clergy, indeed, as refused to comply with the legal ceremonies were deprived of their livings, and sometimes, in Elizabeth's reign, were otherwise punished; and ought any man to accept of an office or benefice in an establishment while he declines compliance with the fixed and known rules of that establishment? But Puritans were never punished for frequenting separate congregations, because there were none such in the kingdom, and no Protestant ever assumed or pretended to the right of erecting them. The greatest well-wishers of the puritanical sect would have condemned a practice which in that age was universally, by statesmen and ecclesiastics, philosophers and zealots, regarded as subversive of civil society. Even so great a reasoner as Lord Bacon thought that uniformity in religion was absolutely necessary to the support of government, and that no toleration could with safety be given to sectaries.<sup>8</sup> Nothing but the imputation of idolatry which was thrown on the Catholic religion could justify, in the eyes of the Puritans themselves, the schism made by the Huguenots and other Protestants who lived in popish countries.

In all former ages, not wholly excepting even those of Greece and Rome, religious sects and heresies and schisms had been esteemed dangerous, if not pernicious, to civil gov-

<sup>8</sup> See his essay *De Unitate Ecclesiæ*.

ernment, and were regarded as the source of faction and private combination and opposition to the laws.<sup>9</sup> The magistrate, therefore, applied himself directly to the cure of this evil as of every other, and very naturally attempted by penal statutes to suppress those separate communities and punish the obstinate innovators. But it was found by fatal experience, and after spilling an ocean of blood in those theological quarrels, that the evil was of a peculiar nature, and was both inflamed by violent remedies and diffused itself more rapidly throughout the whole society. Hence, though late, arose the paradoxical principle and salutary practice of toleration.

The liberty of the press was incompatible with such maxims and such principles of government as then prevailed, and was therefore quite unknown in that age. Besides employing the two terrible courts of Star-chamber and high commission, whose powers were unlimited, Queen Elizabeth exerted her authority by restraints upon the press. She passed a decree in her court of Star-chamber—that is, by her own will and pleasure—forbidding any book to be printed in any place but in London, Oxford, and Cambridge;<sup>10</sup> and another, in which she prohibited, under severe penalties, the publishing of any book or pamphlet “against the form or meaning of any restraints or ordinance, contained, or to be contained, in any statute or laws of this realm, or in any injunction made or set forth by her majesty or her privy council, or against the true sense or meaning of any letters patent, commissions, or prohibitions under the great seal of England.”<sup>11</sup> James extended the same penalties to the importing of such books from abroad.<sup>12</sup> And to render these edicts more effectual, he afterwards inhibited the printing of any book without a license from the Archbishop of Canterbury, the Archbishop of York, the Bishop of London, or the vice-chancellor of one of the universities, or of some person appointed by them.<sup>13</sup>

In tracing the coherence among the systems of modern theology, we may observe that the doctrine of absolute decrees has ever been intimately connected with the enthusiastic spirit, as that doctrine affords the highest subject of joy, triumph, and security to the supposed elect, and exalts them by infinite degrees above the rest of mankind. All the first

<sup>9</sup> See Cicero de Legibus.

<sup>10</sup> 28th of Elizabeth. See *State Trials*. Sir Robert Knightly, vol. vii. first ed.

<sup>11</sup> Rymer, vol. xvii. p. 522.

<sup>12</sup> *Ibid.*

<sup>13</sup> Rymer, vol. xvii. p. 616.

reformers adopted these principles; and the Jansenists, too, a fanatical sect in France, not to mention the Mahometans in Asia, have ever embraced them. As the Lutheran establishments were subjected to episcopal jurisdiction, their enthusiastic genius gradually decayed, and men had leisure to perceive the absurdity of supposing God to punish by infinite torments what he himself from all eternity had unchangeably decreed. The king, though at this time his Calvinistic education had riveted him in the doctrine of absolute decrees, yet, being a zealous partisan of episcopacy, was insensibly engaged, towards the end of his reign, to favor the milder theology of Arminius. Even in so great a doctor, the genius of the religion prevailed over its speculative tenets, and with him the whole clergy gradually dropped the more rigid principles of absolute reprobation and unconditional decrees. Some noise was at first made about these innovations, but being drowned in the fury of factions and civil wars which ensued, the scholastic arguments made an insignificant figure amid those violent disputes about civil and ecclesiastical power with which the nation was agitated. And at the Restoration, the Church, though she still retained her old subscriptions and articles of faith, was found to have totally changed her speculative doctrines, and to have embraced tenets more suitable to the genius of her discipline and worship, without it being possible to assign the precise period in which the alteration was produced.

It may be worth observing that James, from his great desire to promote controversial divinity, erected a college at Chelsea for the entertainment of twenty persons, who should be entirely employed in refuting the Papists and Puritans.<sup>14</sup> All the efforts of the great Bacon could not procure an establishment for the cultivation of natural philosophy: even to this day no society has been instituted for the polishing and fixing of our language. The only encouragement which the sovereign in England has ever given to anything that has the appearance of science was this short-lived establishment of James—an institution quite superfluous, considering the unhappy propension which at that time so universally possessed the nation for polemical theology.

The manners of the nation were agreeable to the monarchical government which prevailed, and contained not that strange mixture which at present distinguishes England from all other countries. Such violent extremes were then

<sup>14</sup> Kennet, p. 665. Camden's Brit. vol. i. p. 370, Gibson's edit.



unknown of industry and debauchery, frugality and profusion, civility and rusticity, fanaticism and scepticism. Candor, sincerity, modesty, are the only qualities which the English of that age possessed in common with the present.

High pride of family then prevailed; and it was by a dignity and stateliness of behavior that the gentry and nobility distinguished themselves from the common people. Great riches acquired by commerce were more rare, and had not as yet been able to confound all ranks of men, and render money the chief foundation of distinction. Much ceremony took place in the common intercourse of life, and little familiarity was indulged by the great. The advantages which result from opulence are so solid and real that those who are possessed of them need not dread the near approaches of their inferiors. The distinctions of birth and title being more empty and imaginary, soon vanish upon familiar access and acquaintance.

The expenses of the great consisted in pomp and show and a numerous retinue rather than in convenience and true pleasure. The Earl of Nottingham, in his embassy to Spain, was attended by five hundred persons. The Earl of Hertford, in that to Brussels, carried three hundred gentlemen along with him. Lord Bacon has remarked that the English nobility in his time maintained a larger retinue of servants than the nobility of any other nation, except, perhaps, the Polanders.<sup>15</sup>

Civil honors, which now hold the first place, were at that time subordinate to the military. The young gentry and nobility were fond of distinguishing themselves by arms. The fury of duels, too, prevailed more than at any time before or since.<sup>16</sup> This was the turn that the romantic chivalry for which the nation was formerly so renowned had lately taken.

Liberty of commerce between the sexes was indulged, but without any licentiousness of manners. The court was very little an exception to this observation. James had rather entertained an aversion and contempt for the females, nor were those young courtiers of whom he was so fond able to break through the established manners of the nation.

The first sedan-chair seen in England was in this reign,

<sup>15</sup> Essays, De Profer. Fin. Imp.

<sup>16</sup> Franklyn, p. 5. See also Lord Herbert's Memoirs.

and was used by the Duke of Buckingham, to the great indignation of the people, who exclaimed that he was employing his fellow-creatures to do the service of beasts.

The country life prevails at present in England beyond any cultivated nation of Europe ; but it was then much more generally embraced by all the gentry. The increase of arts, pleasures, and social commerce was just beginning to produce an inclination for the softer and more civilized life of the city. James discouraged, as much as possible, this alteration of manners. "He was wont to be very earnest," as Lord Bacon tells us, "with the country gentlemen to go from London to their country-seats. And sometimes he would say thus to them, 'Gentlemen, at London you are like ships in a sea, which show like nothing ; but in your country villages you are like ships in a river, which look like great things.'"<sup>17</sup>

He was not content with reproof and exhortation. As Queen Elizabeth had perceived with regret the increase of London, and had restrained all new buildings by proclamation, James, who found that these edicts were not exactly obeyed, frequently renewed them, though a strict execution seems still to have been wanting. He also issued reiterated proclamations, in imitation of his predecessor, containing severe menaces against the gentry who lived in town.<sup>18</sup> This policy is contrary to that which has ever been practised by all princes who studied the increase of their authority. To allure the nobility to court ; to engage them in expensive pleasures or employments which dissipate their fortune ; to increase their subjection to ministers by attendance ; to weaken their authority in the provinces by absence—these have been the common arts of arbitrary government. But James, besides that he had certainly laid no plan for extending his power, had no money to support a splendid court or bestow on a numerous retinue of gentry and nobility. He thought, too, that by their living together they became more sensible of their own strength, and were apt to indulge too curious researches into matters of government. To remedy the present evil, he was desirous of dispersing them into their country-seats, where he hoped they would bear a more submissive reverence to his authority, and receive less support from each other. But the contrary effect soon followed. The riches amassed during their residence at home rendered them independent. The in-

<sup>17</sup> Apophthegms.

<sup>18</sup> Rymer, vol. xvii. p. 632.

fluence acquired by hospitality made them formidable. They would not be led by the court; they could not be driven; and thus the system of the English government received a total and sudden alteration in the course of less than forty years.

The first rise of commerce and the arts had contributed, in preceding reigns, to scatter those immense fortunes of the barons which rendered them so formidable both to king and people. The further progress of these advantages began during this reign to ruin the small proprietors of land;<sup>19</sup> and, by both events, the gentry, or that rank which composed the House of Commons, enlarged their power and authority. The early improvements in luxury were seized by the greater nobles, whose fortunes, placing them above frugality or even calculation, were soon dissipated in expensive pleasures. These improvements reached, at last, all men of property; and those of slender fortunes, who at that time were often men of family, imitating those of a rank immediately above them, reduced themselves to poverty. Their lands, coming to sale, swelled the estates of those who possessed riches sufficient for the fashionable expenses, but who were not exempted from some care and attention to their domestic economy.

The gentry, also, of that age were engaged in no expense, except that of country hospitality. No taxes were levied, no wars waged, no attendance at court expected, no bribery or profusion required at elections.<sup>20</sup> Could human nature ever reach happiness, the condition of the English gentry, under so mild and benign a prince, might merit that appellation.

The amount of the king's revenue, as it stood in 1617, is thus stated:<sup>21</sup> of crown lands, eighty thousand pounds a year; by customs and new impositions, near one hundred and ninety thousand; by wards and other various branches of revenue, besides purveyance, one hundred and eighty thousand—the whole amounting to four hundred and fifty thousand. The king's ordinary disbursements, by the same account, are said to exceed this sum thirty-six thousand

<sup>19</sup> Cabala, p. 224, first edit.

<sup>20</sup> Men seem then to have been ambitious of representing the counties, but careless of the boroughs. A seat in the House was, in itself, of small importance. But the former became a point of honor among the gentlemen.—Journal, February 10, 1620. Towns which had formerly neglected their right of sending members now began to claim it.—Journal, February 26, 1623.

<sup>21</sup> An Abstract or Brief Declaration of his Majesty's Revenue, with the Assignations and Defalcations upon the same.

pounds.<sup>22</sup> All the extraordinary sums which James had raised by subsidies, loans, sale of lands, sale of the title of baronet, money paid by the states and by the King of France, benevolences, etc., were, in the whole, about two millions two hundred thousand pounds, of which the sale of lands afforded seven hundred and seventy-five thousand pounds. The extraordinary disbursements of the king amounted to two millions, besides above four hundred thousand pounds given in presents. Upon the whole, a sufficient reason appears, partly from necessary expenses, partly from want of a rigid economy, why the king, even early in his reign, was deeply involved in debt, and found great difficulty to support the government.

Farmers, not commissioners, levied the customs. It seems, indeed, requisite, that the former method should always be tried before the latter, though a preferable one. When men's own interest is concerned, they fall upon a hundred expedients to prevent frauds in the merchants; and these the public may afterwards imitate in establishing proper rules for its officers.

The customs were supposed to amount to five per cent. of the value, and were levied upon exports as well as imports. Nay, the imposition upon exports by James's additions is said to amount, in some few instances, to twenty-five per cent. This practice, so hurtful to industry, prevails still in France, Spain, and most countries of Europe. The customs, in 1604, yielded one hundred and twenty-seven thousand pounds a year.<sup>23</sup> They rose to one hundred and ninety thousand towards the end of the reign.

Interest during this reign was at ten per cent. till 1624, when it was reduced to eight. This high interest is an indication of the great profits and small progress of commerce.

The extraordinary supplies granted by Parliament during this whole reign amounted not to more than six hundred and thirty thousand pounds, which, divided among twenty-one years, makes thirty thousand pounds a year. I do not include those supplies, amounting to three hundred thousand pounds, which were given to the king by his last Parliament. These were paid in to their own commissioners, and the expenses of the Spanish war were much more than sufficient to exhaust them. The distressed family of the Palatine was a great burden on James during part of his

<sup>22</sup> The excess was formerly greater, as appears by Salisbury's account. See ch. ii.

<sup>23</sup> Journal, May 21, 1604.



reign. The king, it is pretended, possessed not frugality proportioned to the extreme narrowness of his revenue. Splendid equipages, however, he did not affect, nor costly furniture, nor a luxurious table, nor prodigal mistresses. His buildings, too, were not sumptuous; though the Banqueting-house must not be forgotten, as a monument which does honor to his reign. Hunting was his chief amusement, the cheapest pleasure in which a king can indulge himself. His expenses were the effects of liberality rather than of luxury.

One day, it is said, while he was standing amid some of his courtiers, a porter passed by, loaded with money, which he was carrying to the treasury. The king observed that Rich, afterwards Earl of Holland, one of his handsome, agreeable favorites, whispered something to one standing near him. Upon enquiry, he found that Rich had said, "How happy would that money make me!" Without hesitation James bestowed it all upon him, though it amounted to three thousand pounds. He added, "You think yourself very happy in obtaining so large a sum, but I am more happy in having an opportunity of obliging a worthy man, whom I love." The generosity of James was more the result of a benign humor of light fancy than of reason or judgment. The objects of it were such as could render themselves agreeable to him in his loose hours, not such as were endowed with great merit, or who possessed talents or popularity which could strengthen his interest with the public.

The same advantage, we may remark, over the people which the crown formerly reaped from that interval between the fall of the Peers and the rise of the Commons was now possessed by the people against the crown during the continuance of a like interval. The sovereign had already lost that independent revenue by which he could subsist without regular supplies from Parliament, and he had not yet acquired the means of influencing those assemblies. The effects of this situation, which commenced with the accession of the house of Stuart, soon rose to a great height, and were more or less propagated throughout all the reigns of that unhappy family.

Subsidies and fifteenths are frequently mentioned by historians, but neither the amount of these taxes nor the method of levying them has been well explained. It appears that the fifteenths formerly corresponded to the name, and

were that proportionable part of the movables.<sup>24</sup> But a valuation having been made in the reign of Edward III., that valuation was always adhered to, and each town paid unalterably a particular sum, which the inhabitants themselves assessed upon their fellow-citizens. The same tax in corporate towns was called a tenth, because there it was at first a tenth of the movables. The whole amount of a tenth and a fifteenth throughout the kingdom, or a fifteenth, as it is often more concisely called, was about twenty-nine thousand pounds.<sup>25</sup> The amount of a subsidy was not invariable, like that of a fifteenth. In the eighth of Elizabeth a subsidy amounted to one hundred and twenty thousand pounds; in the fortieth it was not above seventy-eight thousand.<sup>26</sup> It afterwards fell to seventy thousand, and was continually decreasing.<sup>27</sup> The reason is easily collected from the method of levying it. We may learn from the subsidy bills<sup>28</sup> that one subsidy was given for four shillings in the pound on land, and two shillings and eightpence on movables throughout the counties—a considerable tax had it been strictly levied. But this was only the ancient state of a subsidy. During the reign of James there was not paid the twentieth part of that sum. The tax was so far personal that a man paid only in the county where he lived, though he should possess estates in other counties; and the assessors formed a loose estimation of his property and rated him accordingly. To preserve, however, some rule in the estimation, it seems to have been the practice to keep an eye to former assessments, and to rate every man according as his ancestors, or men of such an estimated property were accustomed to pay. This was a sufficient reason why subsidies could not increase, notwithstanding the great increase of money and rise of rents. But there was an evident reason why they continually decreased. The favor, as is natural to suppose, ran always against the crown; especially during the latter end of Elizabeth, when subsidies became numerous and frequent, and the sums levied were considerable compared to former supplies. The assessors, though accustomed to have an eye to ancient estimations, were not bound to observe any such rule, but might rate anew any person according to his present income. When rents fell

<sup>24</sup> Coke's Inst. bk. iv. ch. 1, of fifteenths, quinzins.

<sup>25</sup> Coke's Inst. bk. iv. ch. 1, subsidies temporary.

<sup>26</sup> Journal, July 11, 1610.

<sup>27</sup> Coke's Inst. bk. iv. ch. 1, subsidies temporary.

<sup>28</sup> See Statutes at Large.

or part of an estate was sold off, the proprietor was sure to represent these losses and obtain a diminution of his subsidy; but where rents rose or new lands were purchased, he kept his own secret, and paid no more than formerly. The advantage, therefore, of every change was taken against the crown, and the crown could obtain the advantage of none. And, to make the matter worse, the alterations which happened in property during this age were generally unfavorable to the crown. The small proprietors, or twenty-pound men, went continually to decay; and when their estates were swallowed up by greater, the new purchaser increased not his subsidy. So loose, indeed, is the whole method of rating subsidies that the wonder was, not how the tax should continually diminish, but how it yielded any revenue at all. It became at last so unequal and uncertain that the Parliament was obliged to change it into a land tax.

The price of corn during this reign, and that of the other necessities of life, was no lower, or was rather higher, than at present. By a proclamation of James establishing public magazines, whenever wheat fell below thirty-two shillings a quarter, rye below eighteen, barley below sixteen, the commissioners were empowered to purchase corn for the magazines.<sup>29</sup> These prices, then, are to be regarded as low, though they would rather pass for high by our present estimation. The usual bread of the poor was at this time made of barley.<sup>30</sup> The best wool, during the greater part of James's reign, was at thirty-three shillings a tod.<sup>31</sup> At present it is not above two thirds of that value, though it is to be presumed that our exports in woollen goods are somewhat increased. The finer manufactures, too, by the progress of arts and industry, have rather diminished in price, notwithstanding the great increase of money. In Shakspeare the hostess tells Falstaff that the shirts she bought him were holland, at eight shillings a yard—a high price at this day, even supposing, what is not probable, that the best holland at that time was equal in goodness to the best that can now be purchased. In like manner, a yard of velvet about the middle of Elizabeth's reign was valued at two-and-twenty shillings. It appears from Dr. Birch's *Life of Prince Henry*<sup>32</sup> that that prince, by contract with his butcher, paid near a groat a pound

<sup>29</sup> Rymer, vol. xvii. p. 526. To the same purpose, see also 21 Jac. I. cap. 18.

<sup>30</sup> Rymer, vol. xx. p. 15.

<sup>31</sup> See a compendium or dialogue inserted in the *Memoirs of Wool*, ch. 23.

<sup>32</sup> P. 449.

throughout the year for all the beef and mutton used in his family. Besides, we must consider that the general turn of that age, which no laws could prevent, was the converting of arable land into pasture—a certain proof that the latter was found more profitable, and, consequently, that all butcher's meat, as well as bread, was rather higher than at present. We have a regulation of the market, with regard to poultry and some other articles, very early in Charles I.'s reign,<sup>33</sup> and the prices are high. A turkey-cock four shillings and sixpence, a turkey-hen three shillings, a pheasant-cock six, a pheasant-hen five, a partridge one shilling, a goose two, a capon two and sixpence, a pullet one and sixpence, a rabbit eightpence, a dozen of pigeons six shillings.<sup>34</sup> We must consider that London at present is more than three times more populous than it was at that time—a circumstance which much increases the price of poultry, and of everything that cannot conveniently be brought from a distance; not to mention that these regulations by authority are always calculated to diminish, never to increase, the market prices. The contractors for victualling the navy were allowed by government eightpence a day for the diet of each man when in harbor, sevenpence half-penny when at sea,<sup>35</sup> which would suffice at present. The chief difference in expense between that age and the present consists in the imaginary wants of men, which have since extremely multiplied. These<sup>36</sup> are the principal reasons why James's revenue would go further than the same money in our time, though the difference is not near so great as is usually imagined.

The public was entirely free from the danger and expense of a standing army. While James was vaunting his divine vicegerency, and boasting of his high prerogative, he possessed not so much as a single regiment of guards to maintain his extensive claims—a sufficient proof that he sincerely believed his pretensions to be well grounded, and a strong presumption that they were at least built on what were then deemed plausible arguments. The militia of England, amounting to one hundred and sixty thousand men,<sup>37</sup> was the sole defence of the kingdom. It is pretended

<sup>33</sup> Rymer, vol. xix. p. 511.

<sup>34</sup> We may judge of the great grievance of purveyance by this circumstance, that the purveyors often gave but sixpence for a dozen pigeons and twopence for a fowl. Journal, May 25, 1626.

<sup>35</sup> Rymer, vol. xvii. p. 441, et seq.

<sup>36</sup> This volume was written above twenty-eight years before the edition of 1786. In that short period prices have, perhaps, risen more than during the preceding hundred and fifty.

<sup>37</sup> Journal, March 1, 1623.



that they were kept in good order during this reign.<sup>38</sup> The city of London procured officers who had served abroad, and who taught the trained bands their exercises in Artillery-garden—a practice which had been discontinued since 1588. All the counties of England, in emulation of the capital, were fond of showing a well-ordered and well-appointed militia. It appears that the natural propensity of men towards military shows and exercises will go far, with a little attention in the sovereign, towards exciting and supporting this spirit in any nation. The very boys, at that time, in mimicry of their elders, enlisted themselves voluntarily into companies, elected officers, and practised the discipline, of which the models were every day exposed to their view.<sup>39</sup> Sir Edward Harwood, in a memorial composed at the beginning of the subsequent reign, says that England was so unprovided with horses fit for war that two thousand men could not possibly be mounted throughout the whole kingdom.<sup>40</sup> At present the breed of horses is so much improved that almost all those which are employed either in the plough, wagon, or coach would be fit for that purpose.

The disorders of Ireland obliged James to keep up some forces there, and put him to great expense. The common pay of a private man in the infantry was eightpence a day, a lieutenant two shillings, an ensign eighteenpence.<sup>41</sup> The armies in Europe were not near so numerous during that age; and the private men, we may observe, were drawn from a better rank than at present, and approaching nearer to that of the officers.

In the year 1583 there was a general review made of all the men in England capable of bearing arms; and these were found to amount to one million one hundred and seventy-two thousand men, according to Raleigh.<sup>42</sup> It is impossible to warrant the exactness of this computation, or, rather, we may fairly presume it to be somewhat inaccurate. But if it approached near the truth, England has probably since that time increased in populousness. The growth of London, in riches and beauty as well as in numbers of inhabitants, has been prodigious. From 1600 it doubled

<sup>38</sup> Stowe. See also Sir Walter Raleigh of the Prerogatives of Parliament, and Johnston, Hist. lib. 18.

<sup>40</sup> In the Harleian Miscellany, vol. iv. p. 255.

<sup>39</sup> Stowe.

<sup>41</sup> Rymer, vol. xvi. p. 717.

<sup>42</sup> Of the Invention of Shipping. This number is much superior to that contained in Murden, and that delivered by Sir Edward Coke to the House of Commons, and is more likely.

every forty years ;<sup>43</sup> and, consequently, in 1680 it contained four times as many inhabitants as at the beginning of the century. It has ever been the centre of all the trade in the kingdom, and almost the only town that affords society and amusement. The affection which the English bear to a country life makes the provincial towns be little frequented by the gentry. Nothing but the allurements of the capital, which is favored by the residence of the king, and by being the seat of government and of all the courts of justice, can prevail over their passion for their rural villas.

London at this time was almost entirely built of wood, and in every respect was certainly a very ugly city. The Earl of Arundel first introduced the general practice of brick buildings.<sup>44</sup>

The navy of England was esteemed formidable in Elizabeth's time, yet it consisted only of thirty-three ships, besides pinnaces ;<sup>45</sup> and the largest of these would not equal our fourth-rates at present. Raleigh advises never to build a ship-of-war above six hundred tons.<sup>46</sup> James was not negligent of the navy. In five years preceeding 1623, he built ten new ships, and expended fifty thousand pounds a year on the fleet, besides the value of thirty-six thousand pounds in timber which he annually gave from the royal forests.<sup>47</sup> The largest ship that had ever come from the English docks was built during this reign. She was only fourteen hundred tons, and carried sixty-four guns.<sup>48</sup> The merchant-ships, in cases of necessity, were instantly converted into ships-of-war. The king affirmed to the Parliament that the navy had never before been in so good a condition.<sup>49</sup>

Every session of Parliament during this reign we meet with grievous lamentations concerning the decay of trade and the growth of popery. Such violent propensity have men to complain of the present times, and to entertain discontent against their fortune and condition. The king himself was deceived by these popular complaints, and was at a loss to account for the total want of money which he heard so much exaggerated.<sup>50</sup> It may, however, be affirmed that

<sup>43</sup> Sir William Petty.

<sup>44</sup> Sir Edward Walker's Political Discourses, p. 270.

<sup>45</sup> Coke's Inst. bk. iv. ch. i. Consultation in Parliament for the Navy.

<sup>46</sup> By Raleigh's account, in his Discourse on the First Invention of Shipping, the fleet, in the twenty-fourth of the queen, consisted only of thirteen ships, and was augmented afterwards eleven. He probably reckoned some to be pinnaces which Coke called ships.

<sup>47</sup> Journal, 11th March, 1623. Sir William Monson makes the number amount only to nine new ships, p. 253.

<sup>48</sup> Stowe.

<sup>50</sup> Rymer, vol. xvii. p. 413.

<sup>49</sup> Parliamentary History, vol. vi. p. 94.

during no preceding period of English history was there a more sensible increase than during the reign of this monarch of all the advantages which distinguish a flourishing people. Not only the peace which he maintained was favorable to industry and commerce; his turn of mind inclined him to promote the peaceful arts; and trade being yet in its infancy, all additions to it must have been the more evident to every eye which was not blinded by melancholy prejudices.<sup>51</sup>

By an account,<sup>52</sup> which seems judicious and accurate, it appears that all the seamen employed in the merchant service amounted to ten thousand men, which probably exceeds not the fifth part of their present number. Sir Thomas Overbury says that the Dutch possessed three times more shipping than the English, but that their ships were of inferior burden to those of the latter.<sup>53</sup> Sir William Monson computed the English naval power to be little or nothing inferior to the Dutch,<sup>54</sup> which is surely an exaggeration. The Dutch at this time traded to England with six hundred ships; England to Holland with sixty only.<sup>55</sup>

A catalogue of the manufactures for which the English were then eminent would appear very contemptible in comparison of those which flourish among them at present. Almost all the more elaborate and curious arts were only cultivated abroad, particularly in Italy, Holland, and the Netherlands. Ship-building and the founding of iron cannon were the sole in which the English excelled. They seem indeed to have possessed alone the secret of the latter, and great complaints were made every Parliament against the exportation of English ordnance.

Nine tenths of the commerce of the kingdom consisted in woollen goods.<sup>56</sup> Wool, however, was allowed to be exported till the nineteenth of the king. Its exportation was then forbidden by proclamation, though that edict was never strictly executed. Most of the cloth was exported raw, and was dyed and dressed by the Dutch, who gained, it is pretended, seven hundred thousand pounds a year by this manufacture.<sup>57</sup> A proclamation issued by the king against ex-

<sup>51</sup> See note [L] at the end of the volume.

<sup>52</sup> The Trade's Increase, in the Harleian Miscellany, vol. iii.

<sup>53</sup> Remarks on his Travels, Harleian Miscellany, vol. ii. p. 349.

<sup>54</sup> Naval Tracts, pp. 329, 350.

<sup>55</sup> Raleigh's Observations.

<sup>56</sup> Journal, 26th May, 1621.

<sup>57</sup> Journal, 20th May, 1614. Raleigh, in his Observations, computes the loss at four hundred thousand pounds to the nation. There are about eighty thousand undressed cloths, says he, exported yearly. He computes, besides, that about

porting cloth in that condition had succeeded so ill during one year by the refusal of the Dutch to buy the dressed cloth that great murmurs arose against it; and this measure was retracted by the king and complained of by the nation as if it had been the most impolitic in the world. It seems, indeed, to have been premature.

In so little credit was the fine English cloth, even at home, that the king was obliged to seek expedients by which he might engage the people of fashion to wear it.<sup>58</sup> The manufacture of fine linen was totally unknown in the kingdom.<sup>59</sup>

The company of merchant adventurers by their patent possessed the sole commerce of woollen goods, though the staple commodity of the kingdom. An attempt made during the reign of Elizabeth to lay open this important trade had been attended with bad consequences for a time by a conspiracy of the merchant adventurers not to make any purchases of cloth, and the queen immediately restored them their patent.

It was the groundless fear of a like accident that enslaved the nation to those exclusive companies which confined so much every branch of commerce and industry. The Parliament, however, annulled, in the third of the king, the patent of the Spanish Company; and the trade to Spain, which was at first very insignificant, soon became the most considerable in the kingdom. It is strange that they were not thence encouraged to abolish all the other companies, and that they went no further than obliging them to enlarge their bottom and to facilitate the admission of new adventurers.

A board of trade was erected by the king in 1622.<sup>60</sup> One of the reasons assigned in the commission is to remedy the low price of wool, which begat complaints of the decay of the woollen manufacture. It is more probable, however, that this fall of prices proceeded from the increase of wool. The king likewise recommends it to the commissioners to inquire and examine whether a greater freedom of trade and an exemption from the restraint of exclusive companies would not be beneficial. Men were then fettered by their own prejudices; and the king was justly afraid of embracing a bold measure whose consequences might be uncertain.

one hundred thousand pounds a year had been lost by kerseys, not to mention other articles. The account of two hundred thousand cloths a year exported in Elizabeth's reign seems to be exaggerated.

<sup>58</sup> Rymer, vol. xvii. p. 415.

<sup>59</sup> Ibid.

<sup>60</sup> Rymer, vol. xvii. p. 410.



The digesting of a navigation act, of a like nature with the famous one executed afterwards by the republican Parliament, is likewise recommended to the commissioners. The arbitrary powers then commonly assumed by the privy council appear evidently through the whole tenor of the commission.

The silk manufacture had no footing in England; but by James's direction mulberry-trees were planted, and silk-worms introduced.<sup>61</sup> The climate seems unfavorable to the success of this project. The planting of hops increased much in England during this reign.

Greenland is thought to have been discovered about this period, and the whale-fishery was carried on with success; but the industry of the Dutch, in spite of all opposition, soon deprived the English of this source of riches. A company was erected for the discovery of the northwest passage, and many fruitless attempts were made for that purpose. In such noble projects despair ought never to be admitted till the absolute impossibility of success be fully ascertained.

The passage to the East Indies had been opened to the English during the reign of Elizabeth; but the trade to those parts was not entirely established till this reign, when the East India Company received a new patent, enlarged their stock to one million five hundred thousand pounds,<sup>62</sup> and fitted out several ships on these adventures. In 1609, they built a vessel of twelve hundred tons, the largest merchant-ship that England had ever known. She was unfortunate, and perished by shipwreck. In 1611, a large ship of the company, assisted by a pinnace, maintained five several engagements with a squadron of Portuguese, and gained a complete victory over forces much superior. During the following years the Dutch company was guilty of great injuries towards the English in expelling many of their factors and destroying their settlements; but these violences were resented with a proper spirit by the court of England. A naval force was equipped under the Earl of Oxford,<sup>63</sup> and lay in wait for the return of the Dutch East Indian fleet. By reason of cross winds Oxford failed of his purpose, and the Dutch escaped. Some time after, one rich ship was taken by Vice-Admiral Merwin; and it was stipulated by the Dutch to pay seventy thousand pounds to the English company, in consideration of the losses which that company had sustained.<sup>64</sup>

<sup>61</sup> Stowe.

<sup>62</sup> Journal, 26th Nov. 1621.

<sup>63</sup> In 1622.

<sup>64</sup> Johnston, Hist. lib. 19.

But neither this stipulation, nor the fear of reprisals, nor the sense of that friendship which subsisted between England and the States, could restrain the avidity of the Dutch company, or render them equitable in their proceedings towards their allies. Impatient to have the sole possession of the spice trade, which the English then shared with them, they assumed a jurisdiction over a factory of the latter in the island of Amboyna; and, on very improbable and even absurd pretences, seized all their factors with their families and put them to death with the most inhuman tortures. This dismal news arrived in England at the time when James, by the prejudices of his subjects and the intrigues of his favorite, was constrained to make a breach with Spain; and he was obliged, after some remonstrances, to acquiesce in this indignity from a state whose alliance was now become necessary to him. It is remarkable that the nation, almost without a murmur, submitted to this injury from their Protestant confederates—an injury which, besides the horrid enormity of the action, was of much deeper importance to national interest than all those which they were so impatient to resent from the house of Austria.

The exports of England from Christmas, 1612, to Christmas, 1613, are computed at two million four hundred and eighty-seven thousand four hundred and thirty-five pounds; the imports, at two million one hundred and forty-one thousand one hundred and fifty-one; so that the balance in favor of England was three hundred and forty-six thousand two hundred and eighty-four.<sup>65</sup> But in 1622 the exports were two million three hundred and twenty thousand four hundred and thirty-six pounds; the imports, two million six hundred and nineteen thousand three hundred and fifteen—which makes a balance of two hundred and ninety-eight thousand eight hundred and seventy-nine pounds against England.<sup>66</sup> The coinage of England from 1599 to 1619 amounted to four million seven hundred and seventy-nine thousand three hundred and fourteen pounds thirteen shillings and fourpence<sup>67</sup>—a proof that the balance, in the main, was considerably in favor of the kingdom. As the annual imports and exports together rose to near five millions, and the customs never yielded so much as two hundred thousand pounds a year, of which tonnage made a part, it appears that the new rates affixed by James did not, on the whole,

<sup>65</sup> Misselden's Circle of Commerce, p. 121.

<sup>67</sup> Happy Future State of England, p. 78.

<sup>66</sup> *Ibid.*

amount to one shilling in the pound, and, consequently, were still inferior to the intention of the original grant of Parliament. The East India Company usually carried out a third of their cargo in commodities.<sup>68</sup> The trade to Turkey was one of the most gainful to the nation.<sup>69</sup> It appears that copper half-pence and farthings began to be coined in this reign.<sup>70</sup> Tradesmen had commonly carried on their retail business chiefly by means of leaden tokens. The small silver penny was soon lost, and at this time was nowhere to be found.

What chiefly renders the reign of James memorable is the commencement of the English colonies in America—colonies established on the noblest footing that has been known in any age or nation. The Spaniards, being the first discoverers of the New World, immediately took possession of the precious mines which they found there; and, by the allurements of great riches, they were tempted to depopulate their own country as well as that which they conquered; and added the vice of sloth to those of avidity and barbarity, which had attended their adventurers in those renowned enterprises. That fine coast was entirely neglected which reaches from St. Augustine to Cape Breton, and which lies in all the temperate climates, is watered by noble rivers, and offers a fertile soil, but nothing more, to the industrious planter. Peopled gradually from England by the necessitous and indigent, who at home increased neither wealth nor populousness, the colonies which were planted along that tract have promoted the navigation, encouraged the industry, and even perhaps multiplied the inhabitants of their mother country. The spirit of independence, which was reviving in England, here shone forth in its full lustre, and received new accession from the aspiring character of those who, being discontented with the established church and monarchy, had sought for freedom amid those savage deserts.

Queen Elizabeth had done little more than given a name to the continent of Virginia; and after her planting one feeble colony, which quickly decayed, that country was entirely abandoned. But when peace put an end to the military enterprises against Spain, and left ambitious spirits no hopes of making any longer such rapid advances towards

<sup>68</sup> Munn's Discourse on the East India Trade.

<sup>69</sup> Munn's Discourse on the East India Trade, p. 17.]

<sup>70</sup> Anderson, vol. i. p. 477.

honor and fortune, the nation began to second the pacific intentions of its monarch, and to seek a surer though slower expedient for acquiring riches and glory. In 1606 Newport carried over a colony, and began a settlement, which the company, erected by patent for that purpose in London and Bristol, took care to supply with yearly recruits of provisions, utensils, and new inhabitants. About 1609, Argal discovered a more direct and shorter passage to Virginia, and left the track of the ancient navigators, who had first directed their course southwards to the tropic, sailed westward by means of the trade-winds, and then turned northwards, till they reached the English settlements. The same year five hundred persons, under Sir Thomas Gates and Sir George Somers, were embarked for Virginia. Somers's ship, meeting with a tempest, was driven into the Bermudas, and laid the foundation of a settlement in those islands. Lord Delawar afterwards undertook the government of the English colonies; but, notwithstanding all his care, seconded by supplies from James and by money raised from the first lottery ever known in the kingdom, such difficulties attended the settlement of these countries that in 1614 there were not alive more than four hundred men of all that had been sent thither. After supplying themselves with provisions more immediately necessary for the support of life, the new planters began the cultivating of tobacco; and James, notwithstanding his antipathy to that drug, which he affirmed to be pernicious to men's morals as well as their health,<sup>71</sup> gave them permission to enter it in England; and he inhibited by proclamation all importation of it from Spain.<sup>72</sup> By degrees new colonies were established in that continent, and gave new names to the places where they settled, leaving that of Virginia to the province first planted. The island of Barbadoes was also planted in this reign.

Speculative reasoners, during that age, raised many objections to the planting of those remote colonies; and foretold that, after draining their mother country of inhabitants, they would soon shake off her yoke and erect an independent government in America; but time has shown that the views entertained by those who encouraged such generous undertakings were more just and solid. A mild government and great naval force have preserved, and may still preserve during some time, the dominion of England over

<sup>71</sup> Rymer, vol. xvii. p. 621.

<sup>72</sup> Rymer, vol. xviii. pp. 621, 633.



her colonies; and such advantages have commerce and navigation reaped from these establishments that more than a fourth of the English shipping is at present computed to be employed in carrying on the traffic with the American settlements.

Agriculture was anciently very imperfect in England. The sudden transitions, so often mentioned by historians, from the lowest to the highest price of grain, and the prodigious inequality of its value in different years, are sufficient proofs that the produce depended entirely on the seasons, and that art had as yet done nothing to fence against the injuries of the heavens. During this reign considerable improvements were made, as in most arts, so in this, the most beneficial of any. A numerous catalogue might be formed of books and pamphlets treating of husbandry which were written about this time. The nation, however, was still dependent on foreigners for daily bread; and though its exportation of grain now forms a considerable branch of its commerce, notwithstanding its probable increase of people, there was in that period a regular importation from the Baltic, as well as from France; and if it ever stopped, the bad consequences were sensibly felt by the nation. Sir Walter Raleigh, in his *Observations*, computes that two millions went out at one time for corn. It was not till the fifth of Elizabeth that the exportation of corn had been allowed in England; and Camden observes that agriculture from that moment received new life and vigor.

The endeavors of James, or, more properly speaking, those of the nation, for promoting trade were attended with greater success than those for the encouragement of learning. Though the age was by no means destitute of eminent writers, a very bad taste in general prevailed during that period, and the monarch himself was not a little infected with it.

On the origin of letters among the Greeks, the genius of poets and orators, as might naturally be expected, was distinguished by an amiable simplicity, which, whatever rudeness may sometimes attend it, is so fitted to express the genuine movements of nature and passion that the compositions possessed of it must ever appear valuable to the discerning part of mankind. The glaring figures of discourse the pointed antithesis, the unnatural conceit, the jingle of words—such false ornaments were not employed by early

writers; not because they were rejected, but because they scarcely ever occurred to them. An easy, unforced strain of sentiment runs through their compositions; though at the same time we may observe that, amid the most elegant simplicity of thought and expression, one is sometimes surprised to meet with a poor conceit, which had presented itself unsought for, and which the author had not acquired critical observation enough to condemn.<sup>73</sup> A bad taste seizes with avidity these frivolous beauties, and even perhaps a good taste, ere surfeited by them; they multiply every day more and more in the fashionable compositions; nature and good sense are neglected, labored ornaments studied and admired, and a total degeneracy of style and language prepares the way for barbarism and ignorance. Hence the Asiatic manner was found to depart so much from the simple purity of Athens; hence that tinsel eloquence which is observable in many of the Roman writers, from which Cicero himself is not wholly exempted, and which so much prevails in Ovid, Seneca, Lucan, Martial, and the Plinys.

On the revival of letters, when the judgment of the public is yet raw and uninformed, this false glitter catches the eye, and leaves no room, either in eloquence or poetry, for the durable beauties of solid sense and lively passion. The reigning genius is then diametrically opposite to that which prevails on the first origin of arts. The Italian writers, it is evident, even the most celebrated, have not reached the proper simplicity of thought and composition; and in Petrarch, Tasso, Guarini, frivolous witticisms and forced conceits are but too predominant. The period during which letters were cultivated in Italy was so short as scarcely to allow leisure for correcting this adulterated relish.

The more early French writers are liable to the same reproach. Voiture, Balzac, even Corneille, have too much affected those ambitious ornaments of which the Italians in general, and the least pure of the ancients, supplied them with so many models; and it was not till late that observa-

<sup>73</sup> The name of Polynices, one of Ædipus's sons, means in the original *much quarrelling*. In the altercations between the two brothers, in Æschylus, Sophocles, and Euripides, this conceit is employed; and it is remarkable that so poor a conundrum could not be rejected by any of these three poets, so justly celebrated for their taste and simplicity. What could Shakspeare have done worse? Terence has his "*inceptio est amentium, non amantium*." Many similar instances will occur to the learned. It is well known that Aristotle treats very seriously of puns, divides them into several classes, and recommends the use of them to orators.

tion and reflection gave rise to a more natural turn of thought and composition among that elegant people.

A like character may be extended to the first English writers; such as flourished during the reigns of Elizabeth and James, and even till long afterwards. Learning, on its revival in this island, was attired in the same unnatural garb which it wore at the time of its decay among the Greeks and Romans; and, what may be regarded as a misfortune, the English writers were possessed of great genius before they were endowed with any degree of taste, and by that means gave a kind of sanction to those forced turns and sentiments which they so much affected. Their distorted conceptions and expressions are attended with such vigor of mind that we admire the imagination which produced them as much as we blame the want of judgment which gave them admittance. To enter into an exact criticism of the writers of that age would exceed our present purpose. A short character of the most eminent, delivered with the same freedom which history exercises over kings and ministers, may not be improper. The national prepossessions which prevail will, perhaps, render the former liberty not the least perilous for an author.

If Shakspeare be considered as a MAN born in a rude age and educated in the lowest manner, without any instruction either from the world or from books, he may be regarded as a prodigy; if represented as a POET capable of furnishing a proper entertainment to a refined or intelligent audience, we must abate much of this eulogy. In his compositions, we regret that many irregularities, and even absurdities, should so frequently disfigure the animated and passionate scenes intermixed with them; and, at the same time, we perhaps admire the more those beauties on account of their being surrounded with such deformities. A striking peculiarity of sentiment, adapted to a single character, he frequently hits, as it were, by inspiration; but a reasonable propriety of thought he cannot for any time uphold. Nervous and picturesque expressions as well as descriptions abound in him; but it is in vain we look either for purity or simplicity of diction. His total ignorance of all theatrical art and conduct, however material a defect, yet, as it affects the spectator rather than the reader, we can more easily excuse than that want of taste which often prevails in his productions, and which gives way only by intervals to the irradiations of genius. A great and fertile genius he

certainly possessed, and one enriched equally with a tragic and comic vein; but he ought to be cited as a proof how dangerous it is to rely on these advantages alone for attaining an excellence in the finer arts.<sup>74</sup> And there may even remain a suspicion that we overrate, if possible, the greatness of his genius; in the same manner as bodies often appear more gigantic on account of their being disproportioned and misshapen. He died in 1616, aged fifty-three years.

Jonson possessed all the learning which was wanting to Shakspeare, and wanted all the genius of which the other was possessed. Both of them were equally deficient in taste and elegance, in harmony and correctness. A servile copyist of the ancients, Jonson translated into bad English the beautiful passages of the Greek and Roman authors, without accommodating them to the manners of his age and country. His merit has been totally eclipsed by that of Shakspeare, whose rude genius prevailed over the rude art of his contemporary. The English theatre has ever since taken a strong tincture of Shakspeare's spirit and character; and thence it has proceeded that the nation has undergone from all its neighbors the reproach of barbarism, from which its valuable productions in some other parts of learning would otherwise have exempted it. Jonson had a pension of a hundred marks from the king, which Charles afterwards augmented to a hundred pounds. He died in 1637, aged sixty-three.

Fairfax has translated Tasso with an elegance and ease, and at the same time with an exactness, which for that age are surprising. Each line in the original is faithfully rendered by a correspondent line in the translation. Harrington's translation of Ariosto is not likewise without its merit. It is to be regretted that these poets should have imitated the Italians in their stanza, which has a prolixity and uniformity in it that displease in long performances. They had otherwise, as well as Spenser, who went before them, contributed much to the polishing and refining of English versification.

In Donne's satires, when carefully inspected, there appear some flashes of wit and ingenuity; but these totally suffocated and buried by the hardest and most uncouth expression that is anywhere to be met with.

<sup>74</sup> "Invenire etiam barbari solent, disponere et ornare non nisi eruditi."—**PLINY.**



If the poetry of the English was so rude and imperfect during that age, we may reasonably expect that their prose would be liable to still greater objections. Though the latter appears the more easy, as it is the more natural method of composition, it has ever in practice been found the more rare and difficult; and there scarcely is an instance, in any language, that it has reached a degree of perfection before the refinement of poetical numbers and expression. English prose during the reign of James was written with little regard to the rules of grammar, and with a total disregard to the elegance and harmony of the period. Stuffed with Latin sentences and quotations, it likewise imitated those inversions which, however forcible and graceful in the ancient languages, are entirely contrary to the idiom of the English. I shall, indeed, venture to affirm that whatever uncouth phrases and expressions occur in old books, they were chiefly owing to the unformed taste of the author; and that the language spoken in the courts of Elizabeth and James was very little different from that which we meet with at present in good company. Of this opinion the little scraps of speeches which are found in the parliamentary journals, and which carry an air so opposite to the labored orations, seem to be a sufficient proof; and there want not productions of that age which, being written by men who were not authors by profession, retain a very natural manner, and may give us some idea of the language which prevailed among men of the world. I shall particularly mention Sir John Davis's *Discovery*; Throgmorton's, *Essex's*, and Nevil's *Letters*. In a more early period, Cavendish's *Life of Cardinal Wolsey*, the pieces that remain of Bishop Gardiner and Anne Boleyn's letter to the king differ little or nothing from the language of our time.

The great glory of literature in this island during the reign of James was Lord Bacon. Most of his performances were composed in Latin; though he possessed neither the elegance of that nor of his native tongue. If we consider the variety of talents displayed by this man—as a public speaker, a man of business, a wit, a courtier, a companion, an author, a philosopher—he is justly the object of great admiration. If we consider him merely as an author and philosopher, the light in which we view him at present, thought very estimable, he was yet inferior to his contemporary Galileo, perhaps even to Kepler. Bacon pointed out at a distance the road to true philosophy. Galileo both

pointed it out to others and made himself considerable advances in it. The Englishman was ignorant of geometry. The Florentine revived that science, excelled in it, and was the first that applied it, together with experiment, to natural philosophy. The former rejected, with the most positive disdain, the system of Copernicus; the latter fortified it with new proofs, derived both from reason and the senses. Bacon's style is stiff and rigid; his wit, though often brilliant, is also often unnatural and far-fetched; and he seems to be the original of those pointed similes and long-spun allegories which so much distinguish the English authors; Galileo is a lively and agreeable, though somewhat a prolix writer. But Italy, not united in any single government, and perhaps satiated with that literary glory which it has possessed both in ancient and modern times, has too much neglected the renown which it has acquired by giving birth to so great a man. That national spirit which prevails among the English, and which forms their great happiness, is the cause why they bestow on all their eminent writers, and on Bacon among the rest, such praises and acclamations as may often appear partial and excessive. He died in 1626, in the sixty-sixth year of his age.

If the reader of Raleigh's History can have the patience to wade through the Jewish and rabbinical learning which compose the half of the volume, he will find, when he comes to the Greek and Roman story, that his pains are not unrewarded. Raleigh is the best model of that ancient style which some writers would affect to revive at present. He was beheaded in 1618, aged sixty-six years.

Camden's History of Queen Elizabeth may be esteemed good composition, both for style and matter. It is written with simplicity of expression, very rare in that age, and with a regard to truth. It would not, perhaps, be too much to affirm that it is among the best historical productions which have yet been composed by any Englishman. It is well known that the English have not much excelled in that kind of literature. He died in 1623, aged seventy-three years.

We shall mention the king himself at the end of these English writers; because that is *his* place, when considered as an author. It may safely be affirmed that the mediocrity of James's talents in literature, joined to the great change in national taste, is one cause of that contempt under which

his memory labors, and which is often carried by party writers to a great extreme. It is remarkable how different from ours were the sentiments of the ancients with regard to learning. Of the first twenty Roman emperors, counting from Cæsar to Severus, above the half were authors; and though few of them seem to have been eminent in that profession, it is always remarked to their praise that by their example they encouraged literature. Not to mention Germanicus, and his daughter Agrippina, persons so nearly allied to the throne, the greater part of the classic writers whose works remain were men of the highest quality. As every human advantage is attended with inconveniences, the change of men's ideas in this particular may probably be ascribed to the invention of printing, which has rendered books so common that even men of slender fortunes can have access to them.

That James was but a middling writer may be allowed; that he was a contemptible one can by no means be admitted. Whoever will read his *Basilicon Doron*, particularly the two last books, the *True Law of Free Monarchies*, his answer to Cardinal Perron, and almost all his speeches and messages to Parliament, will confess him to have possessed no mean genius. If he wrote concerning witches and apparitions, who in that age did not admit the reality of these fictitious beings? If he has composed a commentary on the Revelations, and proved the pope to be Antichrist, may not a similar reproach be extended to the famous Napier, and even to Newton, at a time when learning was much more advanced than during the reign of James? From the grossness of its superstitions we may infer the ignorance of an age, but never should pronounce concerning the folly of an individual from his admitting popular errors consecrated by the appearance of religion.

Such a superiority do the pursuits of literature possess above every other occupation that even he who attains but a mediocrity in them merits the pre-eminence above those that excel the most in the common and vulgar professions. The speaker of the House of Commons is usually an eminent lawyer; yet the harangue of his majesty will always be found much superior to that of the speaker in every Parliament during his reign.

Every science, as well as polite literature, must be considered as being yet in its infancy. Scholastic learning and polemical divinity retarded the growth of all true knowledge.

Sir Henry Saville, in the preamble of that deed by which he annexed a salary to the mathematical and astronomical professors in Oxford, says that geometry was almost totally abandoned and unknown in England.<sup>75</sup> The best learning of that age was the study of the ancients. Casaubon, eminent for this species of knowledge, was invited over from France by James, and encouraged by a pension of three hundred pounds a year, as well as by church preferments.<sup>76</sup> The famous Antonio di Dominis, Archbishop of Spalatro, no despicable philosopher, came likewise into England, and afforded great triumph to the nation by their gaining so considerable a proselyte from the Papists. But the mortification followed soon after. The archbishop, though advanced to some ecclesiastical preferments,<sup>77</sup> received not encouragement sufficient to satisfy his ambition; he made his escape into Italy, where he died in confinement.

<sup>75</sup> Rymer, vol. xvii. p. 217.

<sup>77</sup> Rymer, vol. xvii. p. 95.

<sup>76</sup> Rymer, vol. xvii. p. 709.



## CHAPTER L.

## CHARLES I.

A PARLIAMENT AT WESTMINSTER.—AT OXFORD.—NAVAL EXPEDITION AGAINST SPAIN.—SECOND PARLIAMENT.—IMPEACHMENT OF BUCKINGHAM.—VIOLENT MEASURES OF THE COURT.—WAR WITH FRANCE.—EXPEDITION TO THE ISLE OF RHÉ.

[1625.] No sooner had Charles taken into his hands the reins of government than he showed an impatience to assemble the great council of the nation; and he would gladly, for the sake of despatch, have called together the same Parliament which had sitten under his father, and which lay at that time under prorogation. But being told that this measure would appear unusual, he issued writs for summoning a new Parliament on the 7th of May; and it was not without regret that the arrival of the Princess Henrietta, whom he had espoused by proxy, obliged him to delay, by repeated prorogations, their meeting till the 18th of June, when they assembled at Westminster for the despatch of business. The young prince, inexperienced and impolitic, regarded as sincere all the praises and caresses with which he had been loaded while active in procuring the rupture with the house of Austria; and, besides that he labored under great necessities, he hastened with alacrity to a period when he might receive the most undoubted testimony of the dutiful attachments of his subjects. His discourse to the Parliament was full of simplicity and cordiality. He lightly mentioned the occasion which he had for supply.<sup>1</sup> He employed no intrigue to influence the suffrages of the members. He would not even allow the officers of the crown who had seats in the House to mention any particular sum which might be expected by him. Secure of the affections of the Commons, he was resolved that their bounty should be entirely their own deed—unasked,

<sup>1</sup> Rushworth, vol. i. p. 171. Parliamentary History, vol. vi. p. 346. Franklin, p. 108.

unsolicited—the genuine fruit of sincere confidence and regard.

The House of Commons accordingly took into consideration the business of supply. They knew that all the money granted by the last Parliament had been expended on naval and military armaments, and that great anticipations were likewise made on the revenues of the crown. They were not ignorant that Charles was loaded with a large debt, contracted by his father, who had borrowed money both from his own subjects and from foreign princes. They had learned by experience that the public revenue could with difficulty maintain the dignity of the crown, even under the ordinary charges of government. They were sensible that the present war was very lately the result of their own importunate applications and entreaties, and that they had solemnly engaged to support their sovereign in the management of it. They were acquainted with the difficulty of military enterprises directed against the whole house of Austria; against the King of Spain, possessed of the greatest riches and most extensive dominions of any prince in Europe; against the emperor Ferdinand, hitherto the most fortunate monarch of his age, who had subdued and astonished Germany by the rapidity of his victories. Deep impressions, they saw, must be made by the English sword, and a vigorous offensive war be waged against these mighty potentates, ere they would resign a principality which they had now fully subdued, and which they held in secure possession, by its being surrounded with all their other territories.

To answer, therefore, all these great and important ends; to satisfy their young king in the first request which he made them; to prove their sense of the many royal virtues, particularly economy, with which Charles was endowed, the House of Commons, conducted by the wisest and ablest senators that had ever flourished in England, thought proper to confer on the king a supply of two subsidies, amounting to one hundred and twelve thousand pounds.<sup>2</sup>

This measure, which discovers rather a cruel mockery of Charles than any serious design of supporting him, appears so extraordinary, when considered in all its circumstances, that it naturally summons up our attention and raises an inquiry concerning the causes of a conduct unpre-

<sup>2</sup> A subsidy was now fallen to about fifty-six thousand pounds.—Cabala, p. 224, first edit.

cedented in an English Parliament. So numerous an assembly, composed of persons of various dispositions, was not, it is probable, wholly influenced by the same motives, and few declared openly their true reason. We shall, therefore, approach nearer to the truth if we mention all the views which the present conjuncture could suggest to them.

It is not to be doubted but spleen and ill-will against the Duke of Buckingham had an influence with many. So vast and rapid a fortune, so little merited, could not fail to excite public envy; and however men's hatred might have been suspended for a moment, while the duke's conduct seemed to gratify their passions and their prejudices, it was impossible for him long to preserve the affections of the people. His influence over the modesty of Charles exceeded even that which he had acquired over the weakness of James; nor was any public measure conducted but by his counsel and direction. His vehement temper prompted him to raise suddenly to the highest elevation his flatterers and dependants, and upon the least occasion of displeasure he threw them down with equal impetuosity and violence. Implacable in his hatred, fickle in his friendships, all men were either regarded as his enemies or dreaded soon to become such. The whole power of the kingdom was grasped by his insatiable hand, while he both engrossed the entire confidence of his master and held, invested in his single person, the most considerable offices of the crown.

However the ill-humor of the Commons might have been increased by these considerations, we are not to suppose them the sole motives. The last Parliament of James, amid all their joy and festivity, had given him a supply very disproportioned to his demand and to the occasion; and, as every House of Commons which was elected during forty years succeeded to all the passions and principles of their predecessors, we ought rather to account for this obstinacy from the general situation of the kingdom during that whole period than from any circumstances which attended this particular conjecture.

The nation was very little accustomed at that time to the burden of taxes, and had never opened their purses in any degree for supporting their sovereign. Even Elizabeth, notwithstanding her vigor and frugality, and the necessary wars in which she was engaged, had reason to complain of the Commons in this particular; nor could the authority

of that princess, which was otherwise almost absolute, ever extort from them the requisite supplies. Habits, more than reason, we find in everything to be the governing principle of mankind. In this view, likewise, the sinking of the value of subsidies must be considered as a loss to the king. The Parliament, swayed by custom, would not augment their number in the same proportion.

The puritanical party, though disguised, had a great authority over the kingdom, and many of the leaders among the Commons had secretly embraced the rigid tenets of that sect. All these were disgusted with the court, both by the prevalence of the principles of civil liberty essential to their party, and on account of the restraint under which they were held by the established hierarchy. In order to fortify himself against the resentment of James, Buckingham had affected popularity, and entered into the cabals of the Puritans; but, being secure of the confidence of Charles, he had since abandoned this party, and on that account was the more exposed to their hatred and resentment. Though the religious schemes of many of the Puritans, when explained, appeared pretty frivolous, we are not thence to imagine that they were pursued by none but persons of weak understandings. Some men of the greatest parts and most extensive knowledge that the nation at this time produced could not enjoy any peace of mind because obliged to hear prayers offered up to the Divinity by a priest covered with a white linen vestment.

The match with France, and the articles in favor of Catholics, which were suspected to be in the treaty, were likewise causes of disgust to this whole party; though it must be remarked that the connections with that crown were much less obnoxious to the Protestants and less agreeable to the Catholics than the alliance formerly projected with Spain, and were therefore received rather with pleasure than dissatisfaction.

To all these causes we must yet add another of considerable moment. The House of Commons, we may observe, was almost entirely governed by a set of men of the most uncommon capacity and the largest views—men who were now formed into a regular party, and united, as well by fixed aims and projects as by the hardships which some of them had undergone in prosecution of them. Among these we may mention the names of Sir Edward Coke, Sir Edwin Sandys, Sir Robert Philips, Sir Francis Seymour, Sir Dudley



Digges, Sir John Elliot, Sir Thomas Wentworth, Mr. Selden, and Mr. Pym. Animated with a warm regard to liberty, these generous patriots saw with regret an unbounded power exercised by the crown, and were resolved to seize the opportunity which the king's necessities offered them of reducing the prerogative within more reasonable compass. Though their ancestors had blindly given way to practices and precedents favorable to kingly power, and had been able, notwithstanding, to preserve some small remains of liberty, it would be impossible, they thought, when all these pretensions were methodized and prosecuted by the increasing knowledge of the age, to maintain any shadow of popular government in opposition to such unlimited authority in the sovereign. It was necessary to fix a choice: either to abandon entirely the privileges of the people or to secure them by firmer and more precise barriers than the constitution had hitherto provided for them. In this dilemma men of such aspiring geniuses and such independent fortunes could not long deliberate: they boldly embraced the side of freedom, and resolved to grant no supplies to their necessitous prince without extorting concessions in favor of civil liberty. The end they esteemed beneficent and noble, the means regular and constitutional. To grant or refuse supplies was the undoubted privilege of the Commons; and as all human governments, particularly those of a mixed frame, are in continual fluctuation, it was as natural, in their opinion, and allowable, for popular assemblies to take advantage of favorable incidents in order to secure the subject as for monarchs in order to extend their own authority. With pleasure they beheld the king involved in a foreign war which rendered him every day more dependent on the Parliament, while at the same time the situation of the kingdom, even without any military preparations, gave it sufficient security against all invasion from foreigners. Perhaps, too, it had partly proceeded from expectations of this nature that the popular leaders had been so urgent for a rupture with Spain; nor is it credible that religious zeal could so far have blinded all of them as to make them discover in such a measure any appearance of necessity or any hope of success.

But however natural all these sentiments might appear to the country party, it is not to be imagined that Charles would entertain the same idea. Strongly prejudiced in favor of the duke, whom he had heard so highly extolled in

Parliament, he could not conjecture the cause of so sudden an alteration in their opinions; and when the war which they themselves had so earnestly solicited was at last commenced, the immediate desertion of their sovereign could not but seem very unaccountable. Even though no further motive had been suspected, the refusal of supply in such circumstances would naturally to him appear cruel and deceitful; but when he perceived that this measure proceeded from an intention of encroaching on his authority, he failed not to regard these claims as highly criminal and traitorous. Those lofty ideas of monarchical power which were very commonly adopted during that age, and to which the ambiguous nature of the English constitution gave so plausible an appearance, were firmly riveted in Charles; and however moderate his temper, the natural and unavoidable prepossessions of self-love, joined to the late uniform precedents in favor of prerogative, had made him regard his political tenets as certain and uncontroverted. Taught to consider even the ancient laws and constitution more as lines to direct his conduct than barriers to withstand his power, a conspiracy to erect new ramparts in order to straiten his authority appeared but one degree removed from open sedition and rebellion. So atrocious in his eyes was such a design that he seems even unwilling to impute it to the Commons; and though he was constrained to adjourn the Parliament by reason of the plague, which at that time raged in London, he immediately reassembled them at Oxford, and made a new attempt to gain from them some supplies in such an urgent necessity.

Charles now found himself obliged to depart from that delicacy which he had formerly maintained. By himself or his ministers, he entered into a particular detail both of the alliances which he had formed and of the military operations which he had projected.<sup>3</sup> He told the Parliament that by a promise of subsidies he had engaged the King of Denmark to take part in the war; that this monarch intended to enter Germany by the north, and to rouse to arms those princes who impatiently longed for an opportunity of asserting the liberty of the empire; that Mansfeldt had undertaken to penetrate with an English army into the Palatinate, and by that quarter to excite the members of the evangelical union; that the States must be supported in the unequal warfare which they maintained with Spain;

<sup>3</sup> Dugdale, pp. 25, 26.

that no less a sum than seven hundred thousand pounds a year had been found, by computation, requisite for all these purposes; that the maintenance of the fleet and the defence of Ireland demanded an annual expense of four hundred thousand pounds; that he himself had already exhausted and anticipated in the public service his whole revenue, and had scarcely left sufficient for the daily subsistence of himself and his family;<sup>4</sup> that on his accession to the crown he found a debt of above three hundred thousand pounds, contracted by his father in support of the Palatine; and that, while Prince of Wales, he had himself contracted debts, notwithstanding his great frugality, to the amount of seventy thousand pounds, which he had expended entirely on naval and military armaments. After mentioning all these facts, the king even condescended to use entreaties. He said that this request was the first that he had ever made them; that he was young, and in the commencement of his reign; and if he now met with kind and dutiful usage, it would endear to him the use of parliaments, and would forever preserve an entire harmony between him and his people.<sup>5</sup>

To these reasons the Commons remained inexorable. Notwithstanding that the king's measures, on the supposition of a foreign war, which they had constantly demanded, were altogether unexceptionable, they obstinately refused any further aid. Some members, favorable to the court, having insisted on an addition of two-fifteenths to the former supply, even this pittance was refused,<sup>6</sup> though it was known that a fleet and army were lying at Portsmouth in great want of pay and provisions, and that Buckingham, the admiral, and the treasurer of the navy, had advanced on their own credit near a hundred thousand pounds for the sea-service.<sup>7</sup> Besides all their other motives, the House of Commons had made a discovery which, as they wanted but a pretence for their refusal, inflamed them against the court and against the Duke of Buckingham.

When James deserted the Spanish alliance, and courted that of France, he had promised to furnish Louis, who was entirely destitute of naval force, with one ship-of-war, together with seven armed vessels hired from the merchants. These the French court had pretended they would employ

<sup>4</sup> Parliamentary History, vol. vi. p. 396.

<sup>5</sup> Rushworth, vol. i. pp. 177, 178, etc. Parliamentary History, vol. vi. p. 399. Franklyn, pp. 108, 109. Journal, August 10, 1625.

<sup>6</sup> Rushworth, vol. i. 190.

<sup>7</sup> Parliamentary History, vol. vi. p. 390.

against the Genoese, who, being firm and useful allies to the Spanish monarchy, were naturally regarded with an evil eye both by the King of France and of England. When these vessels by Charles's orders arrived at Dieppe, there arose a strong suspicion that they were to serve against Rochelle. The sailors were inflamed. That race of men, who are at present both careless and ignorant in all matters of religion, were at that time only ignorant. They drew up a remonstrance to Pennington, their commander; and, signing all their names in a circle, lest he should discover the ringleaders, they laid it under his prayer book. Pennington declared that he would rather be hanged in England for disobedience than fight against his brother Protestants in France. The whole squadron sailed immediately to the Downs. There they received new orders from Buckingham, lord admiral, to return to Dieppe. As the duke knew that authority alone would not suffice, he employed much art and many subtleties to engage them to obedience, and a rumor which was spread that peace had been concluded between the French king and the Huguenots assisted him in his purpose. When they arrived at Dieppe, they found that they had been deceived. Sir Ferdinando Gorges, who commanded one of the vessels, broke through and returned to England. All the officers and sailors of all the other ships, notwithstanding great offers made them by the French, immediately deserted. One gunner alone preferred duty towards his king to the cause of religion, and he was afterwards killed in charging a cannon before Rochelle.<sup>8</sup> The care which historians have taken to record this frivolous event proves with what pleasure the news was received by the nation.

The House of Commons, when informed of these transactions, showed the same attachment with the sailors for the Protestant religion; nor was their zeal much better guided by reason and sound policy. It was not considered that it was highly probable the king and the duke themselves had here been deceived by the artifices of France, nor had they any hostile intention against the Huguenots; that were it otherwise, yet might their measures be justified by the most obvious and most received maxims of civil policy; that if the force of Spain were really so exorbitant as the Commons imagined, the French monarch was the only prince that could oppose its progress and preserve the balance of Europe; that his power was at present fettered by the Hugue-

<sup>8</sup> Franklyn, p. 109. Rushworth, vol. i. pp. 175, 176, etc., 325, 326, etc.



nots, who, being possessed of many privileges, and even of fortified towns, formed an empire within his empire, and kept him in perpetual jealousy and inquietude; that an insurrection had been at that time wantonly and voluntarily formed by their leaders, who, being disgusted in some court intrigue, took advantage of the never-failing pretence of religion in order to cover their rebellion; that the Dutch, influenced by these views, had ordered a squadron of twenty ships to join the French fleet employed against the inhabitants of Rochelle;<sup>9</sup> that the Spanish monarch, sensible of the same consequences, secretly supported the Protestants in France; and that all princes had ever sacrificed to reasons of state the interests of their religion in foreign countries. All these obvious considerations had no influence. Great murmurs and discontents still prevailed in Parliament. The Huguenots, though they had no ground of complaint against the French court, were thought to be as much entitled to assistance from England as if they had taken arms in defence of their liberties and religion against the persecuting rage of the Catholics. And it plainly appears from this incident, as well as from many others, that of all European nations the British were at that time, and till long after, the most under the influence of that religious spirit which tends rather to inflame bigotry than increase peace and mutual charity.

On this occasion the Commons renewed their eternal complaints against the growth of popery, which was ever the chief of their grievances, and now their only one.<sup>10</sup> They demanded a strict execution of the penal laws against the Catholics, and remonstrated against some late pardons granted to priests.<sup>11</sup> They attacked Montague, one of the king's chaplains, on account of a moderate book which he had lately published, and which, to their great disgust, saved virtuous Catholics as well as other Christians from eternal torments.<sup>12</sup> Charles gave them a gracious and compliant answer to all their remonstrances. He was, however, in his heart extremely averse to these furious measures. Though a determined Protestant by principle as well as inclination, he had entertained no violent horror against popery, and a little humanity, he thought, was due by the nation to the religion of their ancestors. That degree of liberty which is now indulged to Catholics, though a party

<sup>9</sup> Journal, April 18, 1626.

<sup>10</sup> Franklyn, p. 3, etc.

<sup>11</sup> Parliamentary History, vol. vi. p. 374. Journal, August 1, 1625.

<sup>12</sup> Parliamentary History, vol. vi. p. 353. Journal, July 7, 1625.

much more obnoxious than during the reign of the Stuarts, it suited neither with Charles's sentiments nor the humor of the age to allow them. An abatement of the more rigorous laws was all he intended, and his engagements with France, notwithstanding that their regular execution had never been promised or expected, required of him some indulgence. But so unfortunate was this prince that no measure embraced during his whole reign was ever attended with more unhappy and more fatal consequences.

The extreme rage against popery was a sure characteristic of puritanism. The House of Commons discovered other infallible symptoms of the prevalence of that party. They petitioned the king for replacing such able clergy as had been silenced for want of conformity to the ceremonies.<sup>13</sup> They also enacted laws for the strict observance of Sunday, which the Puritans affected to call the Sabbath, and which they sanctified by the most melancholy indolence.<sup>14</sup> It is to be remarked that the different appellations of this festival were at that time known symbols of the different parties.

The king, finding that the Parliament was resolved to grant him no supply, and would furnish him with nothing but empty protestations of duty<sup>15</sup> or disagreeable complaints of grievances, took advantage of the plague,<sup>16</sup> which began to appear at Oxford, and on that pretence immediately dissolved them. By finishing the session with a dissolution, instead of a prorogation, he sufficiently expressed his displeasure of their conduct.

To supply the want of parliamentary aids, Charles issued privy seals for borrowing money from his subjects.<sup>17</sup> The advantage reaped by this expedient was a small compensation for the disgust which it occasioned; by means, however, of that supply, and by other expedients, he was, though with difficulty, enabled to equip his fleet. It consisted of eighty vessels, great and small, and carried on board an army of ten thousand men. Sir Edward Cecil, lately created Viscount Wimbleton, was intrusted with the command. He sailed immediately for Cadiz, and found the bay full of Spanish ships of great value. He either neg-

<sup>13</sup> Rushworth, vol. i. p. 281.      <sup>14</sup> 1 Car. I. cap. 1. Journal, June 21, 1625.

<sup>15</sup> Franklyn, p. 113. Rushworth, vol. i. p. 190.

<sup>16</sup> The plague was really so violent that it had been moved in the House, at the beginning of the session, to petition the king to adjourn them.—Journal, June 21, 1625. So it was impossible to enter upon grievances, even if there had been any. The only business of the Parliament was to give supply, which was so much wanted by the king in order to carry on the war in which they had engaged him.

<sup>17</sup> Rushworth, vol. i. p. 192. Parliamentary History, vol. vi. p. 407.

lected to attack these ships, or attempted it preposterously. The army was landed and a fort taken; but the undisciplined soldiers, finding store of wine, could not be restrained from the utmost excesses. Further stay appearing fruitless, they were re-embarked, and the fleet put to sea with an intention of intercepting the Spanish galleons. But the plague having seized the seamen and soldiers, they were obliged to abandon all hopes of this prize and return to England. Loud complaints were made against the court for intrusting so important a command to a man like Cecil, whom, though he possessed great experience, the people, judging by the event, esteemed of slender capacity.<sup>18</sup>

[1626.] Charles, having failed of so rich a prize, was obliged again to have recourse to a Parliament. Though the ill success of his enterprises diminished his authority, and showed every day more plainly the imprudence of the Spanish war; though the increase of his necessities rendered him more dependent, and more exposed to the encroachments of the Commons, he was resolved to try once more that regular and constitutional expedient for supply. Perhaps, too, a little political art which at that time he practised was much trusted to. He had named four popular leaders sheriffs of counties—Sir Edward Coke, Sir Robert Philips, Sir Thomas Wentworth, and Sir Francis Seymour; and though the question had been formerly much contested,<sup>19</sup> he thought that he had by that means incapacitated them from being elected members. But his intention being so evident rather put the Commons more upon their guard. Enow of patriots still remained to keep up the ill-humor of the House, and men needed but little instruction or rhetoric to recommend to them practices which increased their own importance and consideration. The weakness of the court, also, could not more evidently appear than by its being reduced to use so ineffectual an expedient in order to obtain an influence over the Commons.

The views, therefore, of the last Parliament were immediately adopted; as if the same men had been everywhere elected, and no time had intervened since their meeting. When the king laid before the House his necessities, and asked for supply, they immediately voted him three subsidies and three fifteenths; and though they afterwards

<sup>18</sup> Franklyn, p. 113. Rushworth, vol. i. p. 196.

<sup>19</sup> It is always an express clause in the writ of summons that no sheriff shall be chosen; but the contrary practice had often prevailed.—D'Ewes, p. 38. Yet still great doubts were entertained on this head. See Journal, April 9, 1614.

added one subsidy more, the sum was little proportioned to the greatness of the occasion, and ill fitted to promote those views of success and glory for which the young prince, in his first enterprise, so ardently longed. But this circumstance was not the most disagreeable one. The supply was only voted by the Commons. The passing of that vote into a law was reserved till the end of the session.<sup>20</sup> A condition was thereby made, in a very undisguised manner, with their sovereign. Under color of redressing grievances which, during this short reign, could not be very numerous, they were to proceed in regulating and controlling every part of government which displeased them; and if the king either cut them short in this undertaking, or refused compliance with their demands, he must not expect any supply from the Commons. Great dissatisfaction was expressed by Charles at a treatment which he deemed so harsh and undutiful;<sup>21</sup> but his urgent necessities obliged him to submit, and he waited with patience, observing to what side they would turn themselves.

The Duke of Buckingham, formerly obnoxious to the public, became every day more unpopular, by the symptoms which appeared both of his want of temper and prudence and of the uncontrolled ascendant which he had acquired over his master.<sup>22</sup> Two violent attacks he was obliged this session to sustain—one from the Earl of Bristol, another from the House of Commons.

As long as James lived, Bristol, secure of the concealed favor of that monarch, had expressed all duty and obedience, in expectation that an opportunity would offer of reinstating himself in his former credit and authority. Even after Charles's accession, he despaired not. He submitted to the king's commands of remaining at his country-seat and of absenting himself from Parliament. Many trials he made to regain the good opinion of his master; but, finding them all fruitless, and observing Charles to be entirely governed by Buckingham, his implacable enemy, he resolved no longer to keep any measures with the court. A new spirit, he saw, and a new power, arising in the nation, and to these he was determined for the future to trust for his security and protection.

<sup>20</sup> Journal, March 27, 1626.

<sup>21</sup> Parliamentary History, vol. xi. p. 449. Rushworth, vol. i. p. 224.

<sup>22</sup> His credit with the king had given him such influence that he had no less than twenty proxies granted him this Parliament by so many peers, which occasioned a vote that no peer should have above two proxies. The Earl of Leicester, in 1585, had once ten proxies.—D'Ewes, p. 314.



When the Parliament was summoned, Charles, by a stretch of prerogative, had given orders that no writ, as is customary, should be sent to Bristol.<sup>23</sup> That nobleman applied to the House of Lords by petition, and craved their good offices with the king for obtaining what was his due as a peer of the realm. His writ was sent him, but accompanied with a letter from the lord keeper, Coventry, commanding him, in the king's name, to absent himself from Parliament. This letter Bristol conveyed to the Lords, and asked advice how to proceed in so delicate a situation.<sup>24</sup> The king's prohibition was withdrawn, and Bristol took his seat. Provoked at these repeated instances of vigor, which the court denominated contumacy, Charles ordered his attorney-general to enter an accusation of high treason against him. By way of recrimination, Bristol accused Buckingham of high treason. Both the earl's defence of himself and accusation of the duke remain ;<sup>25</sup> and, together with some original letters still extant, contain the fullest and most authentic account of all the negotiations with the house of Austria. From the whole, the great imprudence of the duke evidently appears, and the sway of his ungovernable passions ; but it would be difficult to collect thence any action which, in the eye of the law, could be deemed a crime, much less could subject him to the penalty of treason.

The impeachment of the Commons was still less dangerous to the duke, were it estimated by the standard of law and equity. The House, after having voted upon some queries of Dr. Turner's, *that common fame was a sufficient ground of accusation by the Commons*,<sup>26</sup> proceeded to frame regular articles against Buckingham. They accused him of having united many offices in his person ; of having bought two of them ; of neglecting to guard the seas, insomuch that many merchant-ships had fallen into the hands of the enemy ; of delivering ships to the French king in order to serve against the Huguenots ; of being employed in the sale of honors and offices ; of accepting extensive grants from the crown ; of procuring many titles of honor for his kindred ; and of administering physic to the late king without acquainting his physicians. All these articles appear, from comparing the accusation and reply, to be either frivolous

<sup>23</sup> Rushworth, vol. i. p. 236.

<sup>24</sup> Rushworth, vol. i. p. 237. Franklyn, p. 123, etc.

<sup>25</sup> Rushworth, vol. i. pp. 256, 262, 263, etc. Franklyn, p. 122, etc.

<sup>26</sup> Rushworth, vol. i. p. 217. Whitlocke, p. 5.

or false, or both.<sup>27</sup> The only charge which could be regarded as important was, that he had extorted a sum of ten thousand pounds from the East India Company, and that he had confiscated some goods belonging to French merchants, on pretence of their being the property of Spanish. The impeachment never came to a full determination, so that it is difficult for us to give a decisive opinion with regard to these articles. But it must be confessed that the duke's answer in these particulars, as in all the rest, is so clear and satisfactory that it is impossible to refuse our assent to it.<sup>28</sup> His faults and blemishes were in many respects very great; but rapacity and avarice were vices with which he was entirely unacquainted.

It is remarkable that the Commons, though so much at a loss to find articles of charge against Buckingham, never adopted Bristol's accusation, or impeached the duke for his conduct in the Spanish treaty, the most blamable circumstance in his whole life. He had reason to believe the Spaniards sincere in their professions; yet, in order to gratify his private passions, he had hurried his master and his country into a war pernicious to the interests of both. But so riveted throughout the nation were the prejudices with regard to Spanish deceit and falsehood that very few of the Commons seem as yet to have been convinced that they had been seduced by Buckingham's narrative—a certain proof that a discovery of this nature was not, as is imagined by several historians, the cause of so sudden and surprising a variation in the measures of the Parliament.<sup>29</sup>

While the Commons were thus warmly engaged against Buckingham, the king seemed desirous of embracing every opportunity by which he could express a contempt and disregard for them. No one was at that time sufficiently sensible of the great weight which the Commons bore in the balance of the constitution. The history of England had never hitherto afforded one instance where any great movement or revolution had proceeded from the Lower House. And as their rank, both considered in a body and as individuals, was but the second in the kingdom, nothing less than fatal experience could engage the English princes to pay a due regard to the inclinations of that formidable assembly.

The Earl of Suffolk, chancellor of the University of Cam-

<sup>27</sup> Rushworth, vol. i. pp. 306, etc., 375, etc. Journal, March 25, 1626.

<sup>28</sup> Whitlocke, p. 7.

<sup>29</sup> See note [M] at the end of the volume.

bridge, dying about this time, Buckingham, though lying under impeachment, was yet, by means of court interest, chosen in his place. The Commons resented and loudly complained of this affront; and, the more to enrage them, the king himself wrote a letter to the university, extolling the duke, and giving them thanks for his election.<sup>30</sup>

The lord keeper, in the king's name, expressly commanded the House not to meddle with his minister and servant, Buckingham; and ordered them to finish, in a few days, the bill which they had begun for the subsidies, and to make some addition to them, otherwise they must not expect to sit any longer;<sup>31</sup> and though these harsh commands were endeavored to be explained and mollified, a few days after, by a speech of Buckingham's,<sup>32</sup> they failed not to leave a disagreeable impression behind them.

Besides a more stately style which Charles in general affected to this Parliament than to the last, he went so far, in a message, as to threaten the Commons that if they did not furnish him with supplies, he should be obliged to try *new counsels*. This language was sufficiently clear; yet, lest any ambiguity should remain, Sir Dudley Carleton, vice-chamberlain, took care to explain it. "I pray you consider," said he, "what these new counsels are, or may be. I fear to declare those that I conceive. In all Christian kingdoms, you know that parliaments were in use anciently, by which those kingdoms were governed in a most flourishing manner, until the monarchs began to know their own strength, and, seeing the turbulent spirit of their parliaments, at length they, by little and little, began to stand on their prerogatives, and at last overthrew the parliaments throughout Christendom, except here only with us. Let us be careful, then, to preserve the king's good opinion of parliaments, which bringeth such happiness to this nation, and makes us envied of all others, while there is this sweetness between his majesty and the Commons, lest we lose the repute of a free people by our turbulency in Parliament."<sup>33</sup> These imprudent suggestions rather gave warning than struck terror. A precarious liberty, the Commons thought, which was to be preserved by unlimited complaisance, was no liberty at all; and it was necessary, while yet in their power, to secure the constitution by such invincible barriers

<sup>30</sup> Rushworth, vol. p. 371.

<sup>31</sup> Parliamentary History, vol. vi. p. 441.

<sup>32</sup> Parliamentary History, vol. vi. p. 451. Rushworth, vol. i. p. 225. Franklyn, p. 118.

<sup>33</sup> Rushworth, vol. i. p. 359. Whitlocke, p. 6.

that no king or minister should ever, for the future, dare to speak such a language to any Parliament, or even entertain such a project against them.

Two members of the House, Sir Dudley Digges and Sir John Elliot, who had been employed as managers of the impeachment against the duke, were thrown into prison.<sup>34</sup> The Commons immediately declared that they would proceed no further upon business till they had satisfaction in their privileges. Charles alleged as the reason of this measure certain seditious expressions, which, he said, had, in their accusation of the duke, dropped from these members. Upon inquiry, it appeared that no such expressions had been used.<sup>35</sup> The members were released, and the king reaped no other benefit from this attempt than to exasperate the House still further, and to show some degree of precipitancy and indiscretion.

Moved by this example, the House of Peers were roused from their inactivity; and claimed liberty for the Earl of Arundel, who had been lately confined in the Tower. After many fruitless evasions, the king, though somewhat ungracefully, was at last obliged to comply;<sup>36</sup> and in this incident it sufficiently appeared that the Lords, how little soever inclined to popular courses, were not wanting in a just sense of their own dignity.

The ill-humor of the Commons, thus wantonly irritated by the court, and finding no gratification in the legal impeachment of Buckingham, sought other objects on which it might exert itself. The never-failing cry of popery here served them instead. They again claimed the execution of the penal laws against Catholics; and they presented to the king a list of persons intrusted with offices, most of them insignificant, who were either convicted or suspected recusants.<sup>37</sup> In this particular they had, perhaps, some reason to blame the king's conduct. He had promised to the last House of Commons a redress of this religious grievance; but he was apt, in imitation of his father, to imagine that the Parliament, when they failed of supplying his necessities, had, on their part, freed him from the obligation of a strict performance. A new odium, likewise, by these representations, was attempted to be thrown upon Buckingham. His mother, who had great influence over him, was a professed

<sup>34</sup> Rushworth, vol. i. p. 356.

<sup>35</sup> Rushworth, vol. i. pp. 358, 361. Franklyn, p. 180.

<sup>36</sup> Rushworth, vol. i. pp. 363, 364, etc. Franklyn, p. 181.

<sup>37</sup> Franklyn, p. 195. Rushworth.



Catholic; his wife was not free from suspicion; and the indulgence given to Catholics was of course, supposed to proceed entirely from his credit and authority. So violent was the bigotry of the times that it was thought a sufficient reason for disqualifying any one from holding an office that his wife, or relations, or companions were Papists, though he himself was a conformist.<sup>38</sup>

It is remarkable that persecution was here chiefly pushed on by laymen; and that the Church was willing to have granted more liberty than would be allowed by the Commons. The reconciling doctrines likewise of Montague failed not anew to meet with severe censures from that zealous assembly.<sup>39</sup>

The next attack made by the Commons, had it prevailed, would have proved decisive. They were preparing a remonstrance against the levying of tonnage and poundage without consent of Parliament. This article, together with new impositions laid on merchandise by James, constituted near half of the crown revenues; and by depriving the king of these resources they would have reduced him to total subjection and dependence. While they retained such a pledge, besides the supply already promised, they were sure that nothing could be refused them. Though after canvassing the matter near three months, they found themselves utterly incapable of fixing any legal crime upon the duke, they regarded him as an unable and perhaps a dangerous minister; and they intended to present a petition, which would then have been equivalent to a command, for removing him from his majesty's person and councils.<sup>40</sup>

The king was alarmed at the yoke which he saw prepared for him. Buckingham's sole guilt, he thought, was the being his friend and favorite.<sup>41</sup> All the other complaints against him were mere pretences. A little before he was the idol of the people. No new crime had since been discovered. After the most diligent inquiry, prompted by the greatest malice, the smallest appearance of guilt could not be fixed upon him. What idea, he asked, must all mankind entertain of his honor, should he sacrifice his innocent friend to pecuniary considerations? What further authority should he retain in the nation were he capable, in the beginning of his reign, to give, in so signal an instance, such matter of triumph to his enemies and discouragement to his adherents?

<sup>38</sup> See the list in Franklyn and Rushworth.

<sup>39</sup> Rushworth, vol. i. p. 209.

<sup>40</sup> Rushworth, vol. i. p. 400. Franklyn, p. 199.

<sup>41</sup> Franklyn, p. 178.

To-day the Commons pretend to wrest his minister from him ; to-morrow they will attack some branch of his prerogative. By their remonstrances and promises and protestations, they had engaged the crown in a war. As soon as they saw a retreat impossible, without waiting for new incidents, without covering themselves with new pretences, they immediately deserted him and refused him all reasonable supply. It was evident that they desired nothing so much as to see him plunged in inextricable difficulties, of which they intended to take advantage. To such deep perfidy, to such unbounded usurpations, it was necessary to oppose a proper firmness and resolution. All encroachments on supreme power could only be resisted successfully on the first attempt. The sovereign authority was, with some difficulty, reduced from its ancient and legal height ; but when once pushed downwards it soon became contemptible, and would easily, by the continuance of the same effort, now encouraged by success, be carried to the lowest extremity.

Prompted by these plausible motives, Charles was determined immediately to dissolve the Parliament. When this resolution was known, the House of Peers, whose compliant behavior entitled them to some authority with him, endeavored to interpose ;<sup>42</sup> and they petitioned him that he would allow the Parliament to sit some time longer. "Not a moment longer," cried the king, hastily ;<sup>43</sup> and soon after ended the session by a dissolution.

As this measure was foreseen, the Commons took care to finish and disperse their remonstrances, which they intended as a justification of their conduct to the people. The king likewise, on his part, published a declaration, in which he gave the reasons of his disagreement with the Parliament, and of their sudden dissolution, before they had time to conclude any one act.<sup>44</sup> These papers furnished the partisans on both sides with ample matter of apology or of recrimination. But all impartial men judged "that the Commons, though they had not as yet violated any law, yet, by their unpliability and independence, were insensibly changing, perhaps improving, the spirit and genius, while they preserved the form, of the constitution ; and that the king was acting altogether without any plan, running on in a road surrounded on all sides with the most dangerous precipices,

<sup>42</sup> Rushworth, vol. i. p. 398.

<sup>43</sup> Sanderson's Life of Charles I. p. 58.

<sup>44</sup> Franklyn, p. 203, etc. Parliamentary History, vol. vii. p. 300.

and concerting no proper measures either for submitting to the obstinacy of the Commons or for subduing it."

After a breach with the Parliament which seemed so difficult to repair, the only rational counsel which Charles could pursue was immediately to conclude a peace with Spain, and to render himself, as far as possible, independent of his people, who discovered so little inclination to support him, or, rather, who seemed to have formed a determined resolution to abridge his authority. Nothing could be more easy in the execution than this measure, nor more agreeable to his own and to national interest. But, besides the treaties and engagements which he had entered into with Holland and Denmark, the king's thoughts were at this time averse to pacific counsels. There are two circumstances in Charles's character seemingly incompatible, which attended him during the whole course of his reign, and were in part the cause of his misfortunes. He was very steady, and even obstinate, in his purpose; and he was easily governed, by reason of his facility and of his deference to men much inferior to himself both in morals and understanding. His great ends he inflexibly maintained; but the means of attaining them he readily received from his ministers and favorites, though not always fortunate in his choice. The violent, impetuous Buckingham, inflamed with a desire of revenge for injuries which he himself had committed, and animated with a love of glory which he had not talents to merit, had at this time, notwithstanding his profuse licentious life, acquired an invincible ascendant over the virtuous and gentle temper of the king.

The *new counsels* which Charles had mentioned to the Parliament were now to be tried, in order to supply his necessities. Had he possessed any military force on which he could rely, it is not improbable that he had at once taken off the mask and governed without any regard to parliamentary privileges: so high an idea had he received of kingly prerogative, and so contemptible a notion of the rights of those popular assemblies from which he very naturally thought he had met with such ill usage. But his army was new levied, ill paid, and worse disciplined; nowise superior to the militia, who were much more numerous, and who were in a great measure under the influence of the country gentlemen. It behooved him, therefore, to proceed cautiously, and to cover his enterprises under the pretence of ancient precedents, which, considering the great authority com-

monly enjoyed by his predecessors, could not be wanting to himself.

A commission was openly granted to compound with the Catholics, and agree for dispensing with the penal laws enacted against them.<sup>45</sup> By this expedient the king both filled his coffers and gratified his inclination of giving indulgence to these religionists; but he could not have employed any branch of prerogative which would have been more disagreeable or would have appeared more exceptionable to his Protestant subjects.

From the nobility he desired assistance. From the city he required a loan of one hundred thousand pounds. The former contributed slowly; but the latter, covering themselves under many pretences and excuses, gave him at last a flat refusal.<sup>46</sup>

In order to equip a fleet, a distribution, by order of council, was made to all the maritime towns; and each of them was required, with the assistance of the adjacent counties, to arm so many vessels as were appointed them.<sup>47</sup> The city of London was rated at twenty ships. This is the first appearance in Charles's reign of ship-money—a taxation which had once been imposed by Elizabeth, but which afterwards, when carried some steps further by Charles, created such violent discontents.

Of some, loans were required; <sup>48</sup> to others, the way of benevolence was proposed: methods supported by precedent, but always invidious, even in times more submissive and compliant. In the most absolute governments such expedients would be regarded as irregular and unequal.

These counsels for supply were conducted with some moderation till news arrived that a great battle was fought between the King of Denmark and Count Tilly, the imperial general, in which the former was totally defeated. Money now, more than ever, became necessary, in order to repair so great a breach in the alliance, and to support a prince who was so nearly allied to Charles, and who had been engaged in the war, chiefly by the intrigues, solicitations, and promises of the English monarch. After some deliberation, an act of council was passed, importing that as the urgency of affairs admitted not the way of Parliament, the most speedy, equal, and convenient method of supply was by a

<sup>45</sup> Rushworth, vol. i. p. 413. Whitlocke, p. 7.

<sup>46</sup> Rushworth, vol. i. p. 415. Franklyn, p. 206.

<sup>48</sup> Rushworth, vol. i. p. 416.

<sup>47</sup> Rushworth, ut supra.



GENERAL LOAN from the subject, according as every man was assessed in the rolls of the last subsidy. That precise sum was required which each would have paid had the vote of four subsidies passed into law ; but care was taken to inform the people that the sums exacted were not to be called subsidies, but loans.<sup>49</sup> Had any doubt remained whether forced loans, however authorized by precedent, and even by statute, were a violation of liberty, and must, by necessary consequence, render all Parliaments superfluous, this was the proper expedient for opening the eyes of the whole nation. The example of Henry VIII., who had once in his arbitrary reign practised a like method of levying a regular supply, was generally deemed a very insufficient authority.

The commissioners appointed to levy these loans, among other articles of secret instruction, were enjoined, "If any shall refuse to lend, and shall make delays or excuses, and persist in his obstinacy, that they examine him upon oath whether he has been dealt with to deny or refuse to lend, or make an excuse for not lending ; who has dealt with him, and what speeches or persuasions were used to that purpose ; and that they also shall charge every such person, in his majesty's name, upon his allegiance, not to disclose to any one what his answer was."<sup>50</sup> So violent an inquisitorial power, so impracticable an attempt at secrecy, were the objects of indignation, and even, in some degree, of ridicule.

That religious prejudices might support civil authority, sermons were preached by Sibthorpe and Manwaring in favor of the general loan, and the court industriously spread them over the kingdom. Passive obedience was there recommended in its full extent, the whole authority of the state was represented as belonging to the king alone, and all limitations of law and a constitution were rejected as seditious and impious.<sup>51</sup> So openly was this doctrine espoused by the court that Archbishop Abbot, a popular and virtuous prelate, was, because he refused to license Sibthorpe's sermon, suspended from the exercise of his office, banished from London, and confined to one of his country-seats.<sup>52</sup> Abbot's principles of liberty and his opposition to Buckingham had always rendered him very ungracious at court, and had acquired him the character of a Puritan. For it is remarkable that this party made the privileges of the nation,

<sup>49</sup> Rushworth, vol. i. p. 418. Whitlocke, p. 8.

<sup>50</sup> Rushworth, vol. i. p. 419. Franklyn, p. 207.

<sup>51</sup> Rushworth, vol. i. p. 422. Franklyn, p. 208.

<sup>52</sup> Rushworth, vol. i. p. 431.

as much a part of their religion as the Church party did the prerogatives of the crown ; and nothing tended further to recommend among the people, who always take opinions in the lump, the whole system and all the principles of the former sect. The king soon found by fatal experience that this engine of religion which with so little necessity was introduced into politics, falling under more fortunate management, was played with the most terrible success against him.

While the king, instigated by anger and necessity, thus employed the whole extent of his prerogative, the spirit of the people was far from being subdued. Throughout England many refused these loans. Some were even active in encouraging their neighbors to insist upon their common rights and privileges. By warrant of the council these were thrown into prison.<sup>53</sup> Most of them with patience submitted to confinement, or applied by petition to the king, who commonly released them. Five gentlemen alone—Sir Thomas Darnel, Sir John Corbet, Sir Walter Earl, Sir John Heveningham, and Sir Edmond Hambden—had spirit enough, at their own hazard and expense, to defend the public liberties, and to demand releasement, not as a favor from the court, but as their due by the laws of their country.<sup>54</sup> No particular cause was assigned of their commitment. The special command alone of the king and council was pleaded ; and it was asserted that, by law, this was not sufficient reason for refusing bail or releasement to the prisoners.

This question was brought to a solemn trial before the King's Bench ; and the whole kingdom was attentive to the issue of a cause which was of much greater consequence than the event of many battles.

By the debates on this subject it appeared, beyond controversy, to the nation that their ancestors had been so jealous of personal liberty as to secure it against arbitrary power in the crown by six several statutes,<sup>55</sup> and by an article<sup>56</sup> of the GREAT CHARTER itself, the most sacred foundation of the laws and constitution. But the Kings of England who had not been able to prevent the enacting of these laws had sufficient authority, when the tide of liberty was spent, to obstruct their regular execution ; and they

<sup>53</sup> Rushworth, vol. i. p. 429. Franklyn, p. 210.

<sup>54</sup> Rushworth, vol. i. p. 458. Franklyn, p. 224. Whitlocke, p. 8.

<sup>55</sup> 25 Edw. III. cap. 4. 28 Edw. III. cap. 3. 37 Edw. III. cap. 18. 38 Edw. III. cap. 9. 42 Edw. III. cap. 3. 1 Rich. II. cap. 12.

<sup>56</sup> Ch. xxix.

deemed it superfluous to attempt the formal repeal of statutes which they found so many expedients and pretences to elude. Turbulent and seditious times frequently occurred when the safety of the people absolutely required the confinement of factious leaders; and by the genius of the whole constitution, the prince, of himself, was accustomed to assume every branch of prerogative which was found necessary for the preservation of public peace and of his own authority. Expediency of other times would cover itself under the appearance of necessity; and, in proportion as precedents multiply, the will alone of the sovereign was sufficient to supply the place of expediency, of which he constituted himself the sole judge. In an age and nation where the power of a turbulent nobility prevailed, and where the king had no settled military force, the only means that could maintain public peace was the exertion of such prompt and discretionary powers in the crown; and the public itself had become so sensible of the necessity that those ancient laws in favor of personal liberty, while often violated, had never been challenged or revived during the course of near three centuries. Though rebellious subjects had frequently in the open field resisted the king's authority, no person had been found so bold when confined and at mercy as to set himself in opposition to regal power, and to claim the protection of the constitution against the will of the sovereign. It was not till this age—when the spirit of liberty was universally diffused; when the principles of government were nearly reduced to a system; when the tempers of men, more civilized, seemed less to require those violent exertions of prerogative—that these five gentlemen above mentioned, by a noble effort, ventured, in this national cause, to bring the question to a final determination. And the king was astonished to observe that a power exercised by his predecessors, almost without interruption, was found upon trial to be directly opposite to the clearest laws, and supported by few undoubted precedents in courts of judicature. These had scarcely, in any instance, refused bail upon commitments by special command of the king, because the persons committed had seldom or never dared to demand it, at least to insist on their demand.

[1627.] Sir Randolf Crew, chief-justice, had been displaced as unfit for the purposes of the court. Sir Nicholas Hyde, esteemed more obsequious, had obtained that high office; yet the judges by his direction went no further than

to remand the gentlemen to prison and refuse the bail which was offered.<sup>57</sup> Heathe, the attorney-general, insisted that the court, in imitation of the judges in the thirty-fourth of Elizabeth,<sup>58</sup> should enter a general judgment that no bail could be granted upon a commitment by the king or council.<sup>59</sup> But the judges wisely declined complying. The nation, they saw, was already to the last degree exasperated. In the present disposition of man's minds, universal complaints prevailed as if the kingdom were reduced to slavery. And the most invidious prerogative of the crown, it was said, that of imprisoning the subject, is here openly and solemnly, and in numerous instances, exercised for the most invidious purpose—in order to extort loans, or, rather, subsidies, without consent of Parliament.

But this was not the only hardship of which the nation then thought they had reason to complain. The army, which had made the fruitless expedition to Cadiz, was dispersed throughout the kingdom, and money was levied upon the counties for the payment of their quarters.<sup>60</sup>

The soldiers were billeted upon private houses, contrary to custom, which required that in all ordinary cases they should be quartered in inns and public-houses.<sup>61</sup>

Those who had refused or delayed the loan were sure to be loaded with a great number of these dangerous and disorderly guests.

Many, too, of low condition, who had shown a refractory disposition, were pressed into the service and enlisted in the fleet or army.<sup>62</sup> Sir Peter Hayman, for the same reason, was despatched on an errand to the Palatinate.<sup>63</sup> Glanville, an eminent lawyer, had been obliged during the former interval of Parliament to accept of an office in the navy.<sup>64</sup>

The soldiers, ill-paid and undisciplined, committed many crimes and outrages, and much increased the public discontents. To prevent these disorders, martial law, so requisite to the support of discipline, was exercised upon the soldiers. By a contradiction, which is natural when the people are exasperated, the outrages of the army were complained of. The remedy was thought still more intolerable.<sup>65</sup> Though

<sup>57</sup> Rushworth, vol. i. p. 462.

<sup>59</sup> State Trials, vol. vii. p. 161.

<sup>60</sup> Rushworth, vol. i. p. 419.

<sup>63</sup> Rushworth, vol. i. p. 431.

<sup>65</sup> Rushworth, vol. i. p. 419.

<sup>58</sup> State Trials, vol. vii. p. 147.

<sup>61</sup> Ibid.

<sup>62</sup> Rushworth, vol. i. p. 422.

<sup>64</sup> Parliamentary History, vol. vii. p. 310.

Whitlocke, p. 7.



the expediency, if we are not rather to say the necessity, of martial law had formerly been deemed, of itself, a sufficient ground for establishing it, men, now become more jealous of liberty and more refined reasoners in questions of government, regarded as illegal and arbitrary every exercise of authority which was not supported by express statute or uninterrupted precedent.

It may safely be affirmed that, except a few courtiers or ecclesiastics, all men were displeased with this high exertion of prerogative and this new spirit of administration. Though ancient precedents were pleaded in favor of the king's measures, a considerable difference, upon comparison, was observed between the cases. Acts of power, however irregular, might casually and at intervals be exercised by a prince for the sake of despatch or expediency, and yet liberty still subsist in some tolerable degree under his administration. But where all these were reduced into a system—were exerted without interruption, were studiously sought for in order to supply the place of laws and subdue the refractory spirit of the nation—it was necessary to find some speedy remedy, or finally to abandon all hopes of preserving the freedom of the constitution. Nor did moderate men esteem the provocation which the king had received, though great, sufficient to warrant all these violent measures. The Commons as yet had nowise invaded his authority; they had only exercised, as best pleased them, their own privileges. Was he justifiable, because from one House of Parliament he had met with harsh and unkind treatment, to make in revenge an invasion on the rights and liberties of the whole nation?

But great was at this time the surprise of all men when Charles, baffled in every attempt against the Austrian dominions, embroiled with his own subjects, unsupplied with any treasure but what he extorted by the most invidious and most dangerous measures—as if the half of Europe, now his enemy, were not sufficient for the exercise of military prowess—wantonly attacked France, the other great kingdom in his neighborhood, and engaged at once in war against these two powers, whose interests were hitherto deemed so incompatible that they could never, it was thought, agree either in the same friendships or enmities. All authentic memoirs, both foreign and domestic, ascribe to Buckingham's counsels this war with France, and represent him as actuated by motives which would appear incredible

were we not acquainted with the violence and temerity of his character.

The three great monarchies of Europe were at this time ruled by young princes—Philip, Louis, and Charles—who were nearly of the same age, and who had resigned the government of themselves and of their kingdoms to their creatures and ministers, Olivarez, Richelieu, and Buckingham. The people, whom the moderate temper or narrow genius of their princes would have allowed to remain forever in tranquillity, were strongly agitated by the emulation and jealousy of the ministers. Above all, the towering spirit of Richelieu, incapable of rest, promised an active age, and gave indications of great revolutions throughout all Europe.

This man had no sooner, by suppleness and intrigue, gotten possession of the reigns of government than he formed at once three mighty projects—to subdue the turbulent spirits of the great, to reduce the rebellious Huguenots, and to curb the encroaching power of the house of Austria. Undaunted and implacable, prudent and active, he braved all the opposition of the French princes and nobles in the prosecution of his vengeance. He discovered and dissipated all their secret cabals and conspiracies. His sovereign himself he held in subjection, while he exalted the throne. The people, while they lost their liberties, acquired, by means of his administration, learning, order, discipline, and renown. That confused and inaccurate genius of government, of which France partook in common with other European kingdoms, he changed into a simple monarchy, at the very time when the incapacity of Buckingham encouraged the free spirit of the Commons to establish in England a regular system of liberty.

However unequal the comparison between these ministers, Buckingham had entertained a mighty jealousy against Richelieu—a jealousy not founded on rivalry of power and politics, but of love and gallantry—where the duke was as much superior to the cardinal as he was inferior in every other particular.

At the time when Charles married by proxy the Princess Henrietta, the Duke of Buckingham had been sent to France, in order to grace the nuptials and conduct the new queen into England. The eyes of the French court were directed by curiosity towards that man who had enjoyed the unlimited favor of two successive monarchs, and who,

from a private station, had mounted in the earliest youth to the absolute government of three kingdoms. The beauty of his person, the gracefulness of his air, the splendor of his equipage, his fine taste in dress, festivals, and carousals, corresponded to the prepossessions entertained in his favor. The affability of his behavior, the gayety of his manners, the magnificence of his expense, increased still further the general admiration which was paid him. All business being already concerted, the time was entirely spent in mirth and entertainments; and, during those splendid scenes among that gay people, the duke found himself in a situation where he was perfectly qualified to excel.<sup>66</sup> But his great success at Paris proved as fatal as his former failure at Madrid. Encouraged by the smiles of the court, he dared to carry his ambitious addresses to the queen herself; and he failed not to make impression on a heart not indisposed to the tender passions. That attachment, at least of the mind, which appears so delicious and is so dangerous, seems to have been encouraged by the princess; and the duke presumed so far on her good graces that, after his departure, he secretly returned upon some pretence, and, paying a visit to the queen, was dismissed with a reproof which savored more of kindness than of anger.<sup>67</sup>

Information of this correspondence was soon carried to Richelieu. The vigilance of that minister was here further roused by jealousy. He, too, either from vanity or politics, had ventured to pay his addresses to the queen. But a priest past middle age, of a severe character and occupied in the most extensive plans of ambition or vengeance, was but an unequal match in that contest for a young courtier entirely disposed to gayety and gallantry. The cardinal's disappointment strongly inclined him to counterwork the amorous projects of his rival. When the duke was making preparations for a new embassy to Paris, a message was sent him from Louis that he must not think of such a journey. In a romantic passion, he swore "that he would see the queen in spite of all the power of France;" and, from that moment, he determined to engage England in a war with that kingdom.<sup>68</sup>

He first took advantage of some quarrels excited by the Queen of England's attendants; and he persuaded Charles to dismiss at once all her French servants, contrary to the

<sup>66</sup> Clarendon, vol. i. p. 38.

<sup>68</sup> Clarendon, vol. i. p. 38.

<sup>67</sup> Mémoires de Mme. de Motteville.

articles of the marriage treaty.<sup>69</sup> He encouraged the English ships-of-war and privateers to seize vessels belonging to French merchants; and these he forthwith condemned as prizes by a sentence of the court of admiralty. But, finding that all these injuries produced only remonstrances and embassies, or at most reprisals, on the part of France, he resolved to second the intrigues of the Duke of Soubise, and to undertake at once a military expedition against that kingdom.

Soubise, who, with his brother the Duke of Rohan, was the leader of the Huguenot faction, was at that time in London, and strongly solicited Charles to embrace the protection of these distressed religionists. He represented that, after the inhabitants of Rochelle had been repressed by the combined squadrons of England and Holland, after peace was concluded with the French king, under Charles's mediation, the ambitious cardinal was still meditating the destruction of the Huguenots; that preparations were silently making in every province of France for the suppression of their religion; that forts were erected in order to bridle Rochelle, the most considerable bulwark of the Protestants; that the reformed in France cast their eyes on Charles as the head of their faith, and considered him as a prince engaged by interest as well as inclination to support them; that, so long as their party subsisted, Charles might rely on their attachment as much as on that of his own subjects; but if their liberties were once ravished from them, the power of France, freed from this impediment, would soon become formidable to England and to all the neighboring nations.

Though Charles probably bore but small favor to the Huguenots, who so much resembled the Puritans in discipline and worship, in religion and politics, he yet allowed himself to be gained by these arguments, enforced by the solicitations of Buckingham. A fleet of a hundred sail and an army of seven thousand men were fitted out for the invasion of France, and both of them intrusted to the command of the duke, who was altogether unacquainted both with land and sea service. The fleet appeared before Rochelle; but so ill concerted were Buckingham's measures that the inhabitants of that city shut their gates, and refused to admit allies of whose coming they were not previously informed.<sup>70</sup> All his military operations showed equal incapacity and inexperience. Instead of attacking Oleron, a fer-

<sup>69</sup> Rushworth, vol. i. pp. 423, 424.

<sup>70</sup> Rushworth, vol. i. p. 426.



tile island and defenceless, he bent his course to the isle of Rhé, which was well garrisoned and fortified. Having landed his men, though with some loss, he followed not the blow, but allowed Toiras, the French governor, five days' respite, during which St. Martin was victualled and provided for a siege.<sup>71</sup> He left behind him the small fort of Prie, which could at first have made no manner of resistance. Though resolved to starve St. Martin, he guarded the sea negligently, and allowed provisions and ammunition to be thrown into it: despairing to reduce it by famine, he attacked it without having made any breach, and rashly threw away the lives of the soldiers. Having found that a French army had stolen over in small divisions and had landed at Prie, the fort which he had first overlooked, he began to think of a retreat, but made it so unskilfully that it was equivalent to a total rout. He was the last of the army that embarked; and he returned to England, having lost two thirds of his land forces, totally discredited both as an admiral and a general, and bringing no praise with him but the vulgar one of courage and personal bravery.

The Duke of Rohan, who had taken arms as soon as Buckingham appeared upon the coast, discovered the dangerous spirit of the sect, without being able to do any mischief: the inhabitants of Rochelle, who had at last been induced to join the English, hastened the vengeance of their master, exhausted their provisions in supplying their allies, and were threatened with an immediate siege. Such were the fruits of Buckingham's expedition against France.

<sup>71</sup> Whitlocke, p. 8. Sir Philip Warwick, p. 25.

## CHAPTER LI.

THIRD PARLIAMENT.—PETITION OF RIGHT.—PROROGATION.—  
DEATH OF BUCKINGHAM.—NEW SESSION OF PARLIAMENT.  
—TONNAGE AND POUNDAGE.—ARMINIANISM.—DISSOLU-  
TION OF THE PARLIAMENT.

THERE was reason to apprehend some disorder or insurrection, from the discontents which prevailed among the people in England. [1628.] Their liberties, they believed, were ravished from them; illegal taxes extorted; their commerce, which had met with a severe check from the Spanish, was totally annihilated by the French war; those military honors transmitted to them from their ancestors had received a grievous stain by two unsuccessful and ill-conducted expeditions; scarce an illustrious family but mourned, from the last of them, the loss of a son or brother; greater calamities were dreaded from the war with these powerful monarchies, concurring with the internal disorders under which the nation labored. And these ills were ascribed, not to the refractory disposition of the two former parliaments, to which they were partly owing, but solely to Charles's obstinacy in adhering to the counsels of Buckingham—a man nowise entitled by his birth, age, services, or merit to that unlimited confidence reposed in him. To be sacrificed to the interest, policy, and ambition of the great is so much the common lot of the people that they may appear unreasonable who would pretend to complain of it; but to be the victim of the frivolous gallantry of a favorite, and of his boyish caprices, seemed the object of peculiar indignation.

In this situation, it may be imagined, the king and the duke dreaded, above all things, the assembling of a Parliament; but so little foresight had they possessed in their enterprising schemes that they found themselves under an absolute necessity of embracing that expedient. The money levied, or rather extorted, under color of prerogative, had come in very slowly, and had left such ill-humor in the nation that it appeared dangerous to renew the experiment.

The absolute necessity of supply, it was hoped, would engage the Commons to forget all past injuries; and, having experienced the ill effects of former obstinacy, they would probably assemble with the resolution of making some reasonable compliances. The more to soften them, it was concerted, by Sir Robert Cotton's advice,<sup>1</sup> that Buckingham should be the first person that proposed in council the calling of a new Parliament. Having laid in this stock of merit, he expected that all his former misdemeanors would be overlooked and forgiven; and that, instead of a tyrant and oppressor, he should be regarded as the first patriot in the nation.

The views of the popular leaders were much more judicious and profound. When the Commons assembled, they appeared to be men of the same independent spirit with their predecessors, and possessed of such riches that their property was computed to surpass three times that of the House of Peers.<sup>2</sup> They were deputed by boroughs and counties, inflamed, all of them, by the late violations of liberty; many of the members themselves had been cast into prison, and had suffered by the measures of the court; yet, notwithstanding these circumstances, which might prompt them to embrace violent resolutions, they entered upon business with perfect temper and decorum. They considered that the king, disgusted at these popular assemblies, and little prepossessed in favor of their privileges, wanted but a fair pretence for breaking with them, and would seize the first opportunity offered by any incident, or any undutiful behavior of the members. He fairly told them in his first speech that if they should not do their duties in contributing to the necessities of the state, he must, in discharge of his conscience, use those other means which God had put into his hands, in order to save that which the follies of some particular men may otherwise put in danger "Take not this for a threatening," added the king, "for I scorn to threaten any but my equals; but as an admonition from him who, by nature and duty, has most care of your preservation and prosperity."<sup>3</sup> The lord keeper, by the king's direction, subjoined, "This way of parliamentary supplies, as his majesty told you, he hath chosen, not as the only way, but as the fittest; not because he is destitute of others, but because it is most agreeable to the goodness of his own most

<sup>1</sup> Franklyn, p. 230.

<sup>2</sup> Sanderson, p. 106. Walker, p. 339.

<sup>3</sup> Rushworth, vol. i. p. 477. Franklyn, p. 233.

gracious disposition, and to the desire and weal of his people. If this be deferred, necessity and the sword of the enemy make way for the others. Remember his majesty's admonition; I say, remember it."<sup>4</sup> From these avowed maxims, the Commons foresaw that if the least handle were afforded, the king would immediately dissolve them, and would thenceforward deem himself justified for violating, in a manner still more open, all the ancient forms of the constitution. No remedy could then be looked for but from insurrections and civil war, of which the issue would be extremely uncertain, and which must, in all events, prove calamitous to the nation. To correct the late disorders in the administration required some new laws which would, no doubt, appear harsh to a prince so enamored of his prerogative; and it was requisite to temper, by the decency and moderation of their debates, the rigor which must necessarily attend their determinations. Nothing can give us a higher idea of the capacity of those men who now guided the Commons, and of the great authority which they had acquired, than the forming and executing of so judicious and so difficult a plan of operations.

The decency, however, which the popular leaders had prescribed to themselves and recommended to others hindered them not from making the loudest and most vigorous complaints against the grievances under which the nation had lately labored. Sir Francis Seymour said, "This is the great council of the kingdom, and here with certainty, if not here only, his majesty may see, as in a true glass, the state of the kingdom. We are called hither by his writs, in order to give him faithful counsel, such as may stand with his honor; and this we must do without flattery. We are also sent hither by the people in order to deliver their just grievances; and this we must do without fear. Let us not act like Cambyzes' judges, who, when their approbation was demanded by the prince to some illegal measure, said that, though there was a written law, the Persian kings might follow their own will and pleasure. This was base flattery, fitter for our reproof than our imitation; and as fear, so flattery taketh away the judgment. For my part, I shall shun both, and speak my mind with as much duty as any man to his majesty, without neglecting the public.

"But how can we express our affections while we retain our fears; or speak of giving till we know whether we have

<sup>4</sup> Rushworth, vol. i. p. 479. Franklyn, p. 234.



anything to give? For if his majesty may be persuaded to take what he will, what need we give?

“That this hath been done, appeareth by the billeting of soldiers, a thing nowise advantageous to the king’s service and a burden to the commonwealth; by the imprisonment of gentlemen for refusing the loan, who, if they had done the contrary for fear, had been as blamable as the projectors of that oppressive measure. To countenance these proceedings, hath it not been preached in the pulpit, or rather prated, that ‘all we have is the king’s by divine right?’ But when preachers forsake their own calling and turn ignorant statesmen, we see how willing they are to exchange a good conscience for a bishopric.

“He, I must confess, is no good subject who would not willingly and cheerfully lay down his life, when that sacrifice may promote the interests of his sovereign and the good of the commonwealth. But he is not a good subject, he is a slave, who will allow his goods to be taken from him against his will, and his liberty against the laws of the kingdom. By opposing these practices, we shall but tread in the steps of our forefathers, who still preferred the public before their private interest, nay, before their very lives. It will in us be a wrong done to ourselves, to our posterities, to our consciences, if we forego this claim and pretension.”<sup>5</sup>

“I read of a custom,” said Sir Robert Philips, “among the old Romans, that, once every year, they held a solemn festival in which their slaves had liberty, without exception, to speak what they pleased, in order to ease their afflicted minds; and, on the conclusion of the festival, the slaves severally returned to their former servitudes.

“This institution may, with some distinction, well set forth our present state and condition. After the revolution of some time, and the grievous sufferance of many violent oppressions, we have now, at last, as those slaves, obtained, for a day, some liberty of speech; but shall not, I trust, be hereafter slaves, for we are born free. Yet what new illegal burdens our estates and persons have groaned under, my heart yearns to think of, my tongue falters to utter.

“The grievances by which we are oppressed I draw under two heads—acts of power against law, and the judgments of lawyers against our liberty.”

Having mentioned three illegal judgments passed within his memory—that by which the Scots born after James’s

<sup>5</sup> Franklyn, p. 243. Rushworth, vol. i. p. 499.

accession were admitted to all the privileges of English subjects, that by which the new impositions had been warranted, and the late one by which arbitrary imprisonments were authorized—he thus proceeded :

“ I can live, though another who has no right be put to live along with me ; nay, I can live, though burdened with impositions beyond what at present I labor under ; but to have my liberty, which is the soul of my life, ravished from me ; to have my person pent up in a jail, without relief by law, and to be so adjudged—O improvident ancestors ! O unwise forefathers ! to be so curious in providing for the quiet possession of our lands and the liberties of Parliament ; and, at the same time, to neglect our personal liberty, and let us lie in prison, and that during pleasure, without redress or remedy ! If this be law, who do we talk of liberties ? Why trouble ourselves with disputes about a constitution, franchises, property of goods, and the like ? What may any man call his own, if not the liberty of his person ?

“ I am weary of treading these ways, and therefore conclude to have a select committee, in order to frame a petition to his majesty for redress of these grievances. And this petition, being read, examined, and approved, may be delivered to the king, of whose gracious answer we have no cause to doubt, our desires being so reasonable, our intentions so loyal, and the manner so dutiful. Neither need we fear that this is the critical Parliament, as has been insinuated ; or that this is the way to distraction ; but assure ourselves of a happy issue. Then shall the king, as he calls us his great council, find us his true council, and own us his good council.”<sup>6</sup>

The same topics were enforced by Sir Thomas Wentworth. After mentioning projectors and ill ministers of state, “ These,” said he, “ have introduced a privy council, ravishing at once the spheres of all ancient government, destroying all liberty, imprisoning us without bail or bond. They have taken from us—what shall I say ? Indeed, what have they left us ? By tearing up the roots of all property, they have taken from us every means of supplying the king, and of ingratiating ourselves by voluntary proofs of our duty and attachment towards him.

“ To the making whole all these breaches I shall apply myself ; and to all these diseases shall propound a remedy.

<sup>6</sup> Franklyn, p. 245. Parliamentary History, vol. vii. p. 363. Rushworth vol. i. p. 502.

By one and the same thing have the king and the people been hurt, and by the same must they be cured. We must vindicate—what? new things? No; our ancient, legal, and vital liberties—by reinforcing the laws enacted by our ancestors; by setting such a stamp upon them that no licentious spirit shall dare henceforth to invade them. And shall we think this a way to break a Parliament? No; our desires are modest and just. I speak both for the interest of king and people. If we enjoy not these rights, it will be impossible for us to relieve him. Let us never, therefore, doubt of a favorable reception from his goodness.”<sup>7</sup>

These sentiments were unanimously embraced by the whole House. Even the court party pretended not to plead in defence of the late measures anything but the necessity to which the king had been reduced by the obstinacy of the two former parliaments. A vote, therefore, was passed, without opposition, against arbitrary imprisonments and forced loans.<sup>8</sup> And the spirit of liberty having obtained some contentment by this exertion, the reiterated messages of the king, who pressed for supply, were attended to with more temper. Five subsidies were voted him, with which, though much inferior to his wants, he declared himself well satisfied; and even tears of affection started in his eye when he was informed of this concession. The duke’s approbation too was mentioned by Secretary Coke; but the conjunction of a subject with the sovereign was ill received by the House.<sup>9</sup> Though disgusted with the king, the jealousy which they felt for his honor was more sensible than that which his unbounded confidence in the duke would allow even himself to entertain.

The supply, though voted, was not, as yet, passed into a law; and the Commons resolved to employ the interval in providing some barriers to their rights and liberties so lately violated. They knew that their own vote, declaring the illegality of the former measures, had not, of itself, sufficient authority to secure the constitution against future invasion. Some act to that purpose must receive the sanction of the whole legislature; and they appointed a committee to prepare a model of so important a law. By collecting into one effort all the dangerous and oppressive claims of his prerogative, Charles had exposed them to the hazard of one as-

<sup>7</sup> Franklyn, p. 243. Rushworth, vol. i. p. 500.

<sup>8</sup> Franklyn, p. 251. Rushworth, vol. i. p. 513. Whitlocke, p. 9.

<sup>9</sup> Rushworth, vol. i. p. 526. Whitlocke, p. 9.

sault; and had further, by presenting a nearer view of the consequences attending them, roused the independent genius of the Commons. Forced loans, benevolences, taxes without consent of Parliament, arbitrary imprisonments, the billeting of soldiers, martial law—these were the grievances complained of, and against these an eternal remedy was to be provided. The Commons pretended not, as they affirmed, to any unusual powers or privileges; they aimed only at securing those which had been transmitted from their ancestors; and their law they resolved to call a PETITION OF RIGHT; as implying that it contained a corroboration or explanation of the ancient constitution, not any infringement of royal prerogative, or acquisition of new liberties.

While the committee was employed in framing the Petition of Right, the favorers of each party, both in Parliament and throughout the nation, were engaged in disputes about this bill, which, in all likelihood, was to form a memorable era in the English government.

That the statutes, said the partisans of the Commons, which secure English liberty are not become obsolete appears hence, that the English have ever been free, and have ever been governed by law and a limited constitution. Privileges in particular, which are founded on the GREAT CHARTER must always remain in force, because derived from a source of never-failing authority, regarded in all ages as the most sacred contract between king and people. Such attention was paid to this charter by our generous ancestors that they got the confirmation of it reiterated thirty several times; and even secured it by a rule, which, though vulgarly received, seems in the execution impracticable. They have established it as a maxim, that even a statute which should be enacted in contradiction to any article of that charter cannot have force or validity. But with regard to that important article which secures personal liberty, so far from attempting, at any time, any illegal infringement of it, they have corroborated it by six statutes, and put it out of all doubt and controversy. If in practice it has often been violated, abuses can never come in the place of rules; nor can any rights or legal powers be derived from injury and injustice. But the title of the subject to personal liberty not only is founded on ancient, and therefore the most sacred laws, it is confirmed by the whole ANALOGY of the government and constitution. A free monarchy in which every individual is a slave is a glaring contradiction; and it is



requisite, where the laws assign privileges to the different orders of the state, that it likewise secure the independence of the members. If any difference could be made in this particular, it were better to abandon even life or property to the arbitrary will of the prince; nor would such immediate danger ensue, from that concession, to the laws and to the privileges of the people. To bereave of his life a man not condemned by any legal trial is so egregious an exercise of tyranny that it must at once shock the natural humanity of princes, and convey an alarm throughout the whole commonwealth. To confiscate a man's fortune, besides its being a most atrocious act of violence, exposes the monarch so much to the imputation of avarice and rapacity that it will seldom be attempted in any civilized government. But confinement, though a less striking, is no less severe a punishment; nor is there any spirit so erect and independent as not to be broken by the long continuance of the silent and inglorious sufferings of a jail. The power of imprisonment, therefore, being the most natural and potent engine of arbitrary government, it is absolutely necessary to remove it from a government which is free and legal.

The partisans of the court reasoned after a different manner. The true rule of government, said they, during any period, is that to which the people, from time immemorial, have been accustomed and to which they naturally pay a prompt obedience. A practice which has ever struck their senses, and of which they have seen and heard innumerable precedents, has an authority with them much superior to that which attends maxims derived from antiquated statutes and mouldy records. In vain do the lawyers establish it as a principle that a statute can never be abrogated by opposite custom, but requires to be expressly repealed by a contrary statute; while they pretend to inculcate an axiom peculiar to English jurisprudence, they violate the most established principles of human nature; and even, by necessary consequence, reason in contradiction to law itself, which they would represent as so sacred and inviolable. A law, to have any authority, must be derived from a legislature which has right. And whence do all legislatures derive their right but from long custom and established practice? If a statute contrary to public good has at any time been rashly voted and assented to, either from the violence of faction or the inexperience of senates and princes, it cannot be more effectually abrogated than by a train of contrary precedents

which prove that, by common consent, it has tacitly been set aside as inconvenient and impracticable. Such has been the case with all those statutes enacted during turbulent times in order to limit royal prerogative and cramp the sovereign in his protection of the public and his execution of the laws. But above all branches of prerogative, that which is most necessary to be preserved is the power of imprisonment. Faction and discontent, like diseases, frequently arise in every political body; and during these disorders, it is by the salutary exercise alone of this discretionary power that rebellions and civil wars can be prevented. To circumscribe this power is to destroy its nature, entirely to abrogate it is impracticable, and the attempt itself must prove dangerous, if not pernicious, to the public. The supreme magistrate, in critical and turbulent times, will never, agreeably either to prudence or duty, allow the state to perish while there remains a remedy which, how irregular soever, it is still in his power to apply. And if, moved by a regard to public good, he employs any exercise of power condemned by recent and express statute, how greedily, in such dangerous times, will factious leaders seize this pretence of throwing on his government the imputation of tyranny and despotism? Were the alternative quite necessary, it were surely much better for human society to be deprived of liberty than to be destitute of government.

Impartial reasoners will confess that this subject is not, on both sides, without its difficulties. Where a general and rigid law is enacted against arbitrary imprisonment, it would appear that government cannot, in times of sedition and faction, be conducted but by temporary suspensions of the law; and such an expedient was never thought of during the age of Charles. The meetings of Parliament were too precarious, and their determinations might be too dilatory, to serve in cases of urgent necessity. Nor was it then conceived that the king did not possess of himself sufficient power for the security and protection of his people, or that the authority of these popular assemblies was ever to become so absolute that the prince must always conform himself to it, and could never have any occasion to guard against *their* practices as well as against those of his other subjects.

Though the House of Lords was not insensible to the reasons urged in favor of the pretensions of the Commons, they deemed the arguments pleaded in favor of the crown still more cogent and convincing. That assembly seems,

during this whole period, to have acted, in the main, a reasonable and a moderate part; and if their bias inclined a little too much, as is natural, to the side of monarchy, they were far from entertaining any design of sacrificing to arbitrary will the liberties and privileges of the nation. Ashley, the king's sergeant, having asserted, in a pleading before the Peers, that the king must sometimes govern by acts of state as well as by law, this position gave such offence that he was immediately committed to prison, and was not released but upon his recantation and submission.<sup>10</sup> Being, however, afraid lest the Commons should go too far in their projected petition, the Peers proposed a plan of one more moderate, which they recommended to the consideration of the other House. It consisted merely in a general declaration that the great charter, and the six statutes conceived to be explanations of it, stand still in force, to all intents and purposes; that, in consequence of the charter and the statutes, and by the tenor of the ancient customs and laws of the realm, every subject has a fundamental property in his goods and a fundamental liberty of his person; that this property and liberty are as entire at present as during any former period of the English government; that in all common cases the common law ought to be the standard of proceedings; "and in case that, for the security of his majesty's person, the general safety of his people, or the peaceable government of the kingdom, the king shall find just cause, for reasons of state, to imprison or restrain any man's person, he was petitioned graciously to declare that, within a *convenient* time, he shall and will express the cause of the commitment or restraint, either general or special, and, upon a cause so expressed, will leave the prisoner immediately to be tried according to the common law of the land."<sup>11</sup>

Archbishop Abbot was employed by the Lords to recommend, in a conference, this plan of a petition to the House of Commons. The prelate, as was, no doubt, foreseen from his known principles, was not extremely urgent in his applications; and the Lower House was fully convinced that the general declarations signified nothing, but that the latter clause left their liberties rather in a worse condition than before. They proceeded, therefore, with great zeal in framing the model of a petition which should contain expressions more precise and more favorable to public freedom.

The king could easily see the consequence of these pro-

<sup>10</sup> Whitlocke, p. 10. <sup>11</sup> State Trials, vol. vii. p. 187. Rushworth, vol. i. p. 546.

ceedings. Though he had offered at the beginning of the session to give his consent to any law for the security of the rights and liberties of the people, he had not expected that such inroads would be made on his prerogative. In order, therefore, to divert the Commons from their intention, he sent a message, wherein he acknowledged past errors and promised that hereafter there should be no just cause of complaint; and he added "that the affairs of the kingdom press him so that he could not continue the session above a week or two longer; and if the House be not ready by that time to do what is fit for themselves, it shall be their own fault."<sup>12</sup> On a subsequent occasion he asked them, "Why demand explanations, if you doubt not the performance of the statutes according to their true meaning? Explanations will hazard an encroachment upon the prerogative; and it may well be said, What need a new law to confirm an old, if you repose confidence in the declarations which his majesty made to both Houses?"<sup>13</sup> The truth is, the great charter and the old statutes were sufficiently clear in favor of personal liberty; but as all kings of England had ever, in cases of necessity or expediency, been accustomed at intervals to elude them, and as Charles, in a complication of instances, had lately violated them, the Commons judged it requisite to enact a new law, which might not be eluded or violated by any interpretation, construction, or contrary precedent. Nor was it sufficient, they thought, that the king promised to return into the way of his predecessors. His predecessors in all times had enjoyed too much discretionary power; and by his recent abuse of it, the whole world had reason to see the necessity of entirely retrenching it.

The king still persevered in his endeavors to elude the petition. He sent a letter to the House of Lords, in which he went so far as to make a particular declaration "that neither he nor his privy council shall or will, at any time hereafter, commit or command to prison, or otherwise restrain, any man for not lending money, or for any other cause which in his conscience he thought not to concern the public good and the safety of king and people." And he further declared "that he never would be guilty of so base an action as to pretend any cause of whose truth he was not fully satisfied."<sup>14</sup>

<sup>12</sup> State Trials, vol. vii. p. 193.

<sup>13</sup> State Trials, vol. vii. p. 196. Rushworth, vol. i. p. 556.

<sup>14</sup> State Trials, vol. vii. p. 198. Rushworth, vol. i. p. 560. Parliamentary History, vol. viii. p. 111.



But this promise, though enforced to the Commons by the recommendation of the Upper House, made no more impression than all the former messages.

Among the other evasions of the king, we may reckon the proposal of the House of Peers to subjoin to the intended Petition of Right the following clause: "We humbly present this petition to your majesty, not only with a care of preserving our own liberties, but with due regard to leave entire that *sovereign power* with which your majesty is intrusted for the protection, safety, and happiness of your people."<sup>15</sup> Less penetration than was possessed by the leaders of the House of Commons could easily discover how captious this clause was, and how much it was calculated to elude the whole force of the petition.

These obstacles, therefore, being surmounted, the Petition of Right passed the Commons and was sent to the Upper House.<sup>16</sup> The Peers, who were probably well pleased in secret that all their solicitations had been eluded by the Commons, quickly passed the petition without any material alteration, and nothing but the royal assent was wanting to give it the force of a law. The king accordingly came to the House of Peers, sent for the Commons, and, being seated in his chair of state, the petition was read to him. Great was now the astonishment of all men, when, instead of the usual concise and clear form by which a bill is either confirmed or rejected, Charles said, in answer to the petition, "The king willeth that right be done according to the laws and customs of the realm, and that the statutes be put into execution that his subjects may have no cause to complain of any wrong or oppression contrary to their just rights and liberties, to the preservation whereof he holds himself in conscience as much obliged as of his own prerogative."<sup>17</sup>

It is surprising that Charles, who had seen so many instances of the jealousy of the Commons, who had himself so much roused that jealousy by his frequent evasive messages during this session, could imagine that they would rest satisfied with an answer so vague and undeterminate. It was evident that the unusual form alone of the answer must excite their attention; that the disappointment must inflame their anger; and that therefore it was necessary, as the petition seemed to bear hard on royal prerogative, to come

<sup>15</sup> State Trials, vol. vii. p. 199. Rushworth, vol. i. p. 561. Parliamentary History, vol. viii. p. 116. Whitlocke, p. 10.

<sup>16</sup> See note [N] at the end of the volume.

<sup>17</sup> State Trials, vol. vii. p. 212. Rushworth, vol. i. p. 590.

early to some fixed resolution—either gracefully to comply with it or courageously to reject it.

It happened as might have been foreseen. The Commons returned in very ill humor. Usually, when in that disposition, their zeal for religion and their enmity against the unfortunate Catholics ran extremely high. But they had already, in the beginning of the session, presented their petition of religion, and had received a satisfactory answer, though they expected that the execution of the laws against Papists would for the future be no more exact and rigid than they had hitherto found it. To give vent to their present indignation, they fell with their utmost force on Dr. Manwaring.

There is nothing which tends more to excuse—if not justify—the extreme rigor of the Commons towards Charles than his open encouragement and avowal of such general principles as were altogether incompatible with a limited government. Manwaring had preached a sermon which the Commons found, upon inquiry, to be printed by special command of the king;<sup>18</sup> and when this sermon was looked into, it contained doctrines subversive of all civil liberty. It taught that though property was commonly lodged in the subject, yet whenever any exigency required supply, all property was transferred to the sovereign; that the consent of Parliament was not necessary for the imposition of taxes; and that the divine laws required compliance with every demand, how irregular soever, which the prince should make upon his subjects.<sup>19</sup> For these doctrines the Commons impeached Manwaring. The sentence pronounced upon him by the Peers was that he should be imprisoned during the pleasure of the House, be fined a thousand pounds to the king, make submission and acknowledgment of his offence, be suspended during three years, be incapable of holding any ecclesiastical dignity or secular office, and that his book be called in and burned.<sup>20</sup>

It may be worthy of notice that no sooner was the session ended than this man, so justly obnoxious to both Houses, received a pardon and was promoted to a living of considerable value.<sup>21</sup> Some years after, he was raised to the see of St. Asaph. If the republican spirit of the Commons in-

<sup>18</sup> Parliamentary History, vol. viii. p. 206.

<sup>19</sup> Rushworth, vol. i. pp. 585, 594. Parliamentary History, vol. viii. pp. 168, 169, 170, etc. Welwood, p. 44.

<sup>20</sup> Rushworth, vol. i. p. 65. Parliamentary History, vol. viii. p. 212.

<sup>21</sup> Rushworth, vol. i. p. 635. Whitlocke, p. 11.

creased, beyond all reasonable bounds, the monarchical spirit of the court, this latter, carried to so high a pitch, tended still further to augment the former; and thus extremes were everywhere affected, and the just medium was gradually deserted by all men.

From Manwaring the House of Commons proceeded to censure the conduct of Buckingham, whose name hitherto they had cautiously forborne to mention.<sup>22</sup> In vain did the king send them a message in which he told them that the session was drawing near to a conclusion, and desired that they would not enter upon new business, nor cast any aspersions on his government and ministry.<sup>23</sup> Though the court endeavored to explain and soften this message by a subsequent message<sup>24</sup> (as Charles was apt hastily to correct any hasty step which he had taken), it served rather to inflame than appease the Commons, as if the method of their proceedings had here been prescribed to them. It was foreseen that a great tempest was ready to burst on the duke, and in order to divert it the king thought proper, upon a joint application of the Lords and Commons,<sup>25</sup> to endeavor giving them satisfaction with regard to the Petition of Right. He came, therefore, to the House of Peers, and, pronouncing the usual form of words, "Let it be law as is desired," gave full sanction and authority to the petition. The acclamations with which the House resounded, and the universal joy diffused over the nation, showed how much this petition had been the object of all men's vows and expectations.<sup>26</sup>

It may be affirmed without any exaggeration that the king's assent to the Petition of Right produced such a change in the government as was almost equivalent to a revolution; and by circumscribing in so many articles the royal prerogative, gave additional security to the liberties of the subject. Yet were the Commons far from being satisfied with this important concession. Their ill-humor had been so much irritated by the king's frequent evasions and delays that it could not be presently appeased by an assent which he allowed to be so reluctantly extorted from him. Perhaps, too, the popular leaders, implacable and artful, saw the opportunity favorable, and, turning against the king those very weapons with which he had furnished them, resolved to pursue the victory. The bill, however, for five subsidies,

<sup>22</sup> Rushworth, vol. i. p. 607.

<sup>23</sup> Rushworth, vol. i. p. 610. Parliamentary History, vol. viii. p. 197.

<sup>24</sup> Rushworth, vol. i. p. 613.

Journal, June 7, 1628. Parliamentary History, vol. viii. p. 201.

<sup>25</sup> Rushworth, vol. i. p. 605.

<sup>26</sup> Rushworth, vol. i. p. 613.

which had been formerly voted, immediately passed the House, because the granting of that supply was, in a manner, tacitly contracted for upon the royal assent to the petition; and had faith been here violated, no further confidence could have subsisted between king and Parliament. Having made this concession, the Commons continued to carry their scrutiny into every part of government. In some particulars their industry was laudable, in some it may be liable to censure.

A little after writs were issued for summoning this Parliament, a commission had been granted to Sir Thomas Coventry, lord keeper; the Earl of Marlborough, treasurer; the Earl of Manchester, president of the council; the Earl of Worcester, privy seal; the Duke of Buckingham, high admiral; and all the considerable officers of the crown—in the whole thirty-three. By this commission, which from the number of persons named in it could be no secret, the commissioners were empowered to meet and to concert among themselves the methods of levying money by impositions or otherwise—"where form and circumstance," as expressed in the commission, "must be dispensed with, rather than the substance be lost or hazarded."<sup>27</sup> In other words, this was a scheme for finding expedients which might raise the prerogative to the greatest height, and render parliaments entirely useless. The Commons applied for cancelling the commission,<sup>28</sup> and were, no doubt, desirous that all the world should conclude the king's principles to be extremely arbitrary, and should observe what little regard he was disposed to pay to the liberties and privileges of his people.

A commission had likewise been granted, and some money remitted, in order to raise a thousand German horse, and transport them into England. These were supposed to be levied in order to support the projected impositions or excises, though the number seems insufficient for such a purpose.<sup>29</sup> The House took notice of this design in severe terms, and no measure, surely, could be projected more generally odious to the whole nation. It must, however, be confessed that the king was so far right that he had now, at last, fallen on the only effectual method for supporting his prerogative. But, at the same time, he should have been sensible that, till provided with a sufficient military force, all his attempts in opposition to the rising spirit of

<sup>27</sup> Rushworth, vol. i. p. 614. Parliamentary History, vol. viii. p. 214.

<sup>28</sup> Journal, June 13. 1628.

<sup>29</sup> Rushworth, vol. i. p. 612



the nation must in the end prove wholly fruitless; and that the higher he screwed up the springs of government, while he had so little real power to retain them in that forced situation, with more fatal violence must they fly out when any accident occurred to restore them to their natural action.

The Commons next resumed their censure of Buckingham's conduct and behavior, against whom they were implacable. They agreed to present a remonstrance to the king, in which they recapitulated all national grievances and misfortunes, and omitted no circumstance which could render the whole administration despicable and odious. The compositions with Catholics, they said, amounted to no less than a toleration, hateful to God, full of dishonor and disprofit to his majesty, and of extreme scandal and grief to his good people; they took notice of the violations of liberty above mentioned, against which the Petition of Right seems to have provided a sufficient remedy; they mentioned the decay of trade, the unsuccessful expeditions to Cadiz and the isle of Rhé, the encouragement given to Arminians, the commission for transporting German horse, that for levying illegal impositions; and all these grievances they ascribed solely to the ill conduct of the Duke of Buckingham.<sup>30</sup> This remonstrance was, perhaps, not the less provoking to Charles because, joined to the extreme acrimony of the subject, there were preserved in it, as in most of the remonstrances of that age, an affected civility and submission in the language. And as it was the first return which he met with for his late beneficial concessions, and for his sacrifices of prerogative—the greatest by far ever made by an English sovereign—nothing could be more the object of just and natural indignation.

It was not without good grounds that the Commons were so fierce and assuming. Though they had already granted the king the supply of five subsidies, they still retained a pledge in their hands which, they thought, insured them success in all their applications. Tonnage and poundage had not yet been granted by Parliament, and the Commons had artfully, this session, concealed their intention of invading that branch of the revenue till the royal ascent had been obtained to the Petition of Right, which they justly deemed of such importance. They then openly asserted that the levying of tonnage and poundage without consent of Parliament was a palpable violation of the ancient liberties of the

<sup>30</sup> Rushworth, vol. i. p. 619. Parliamentary History, vol. viii. pp. 219, 220, etc.

people, and an infringement of the Petition of Right so lately granted.<sup>31</sup> The king, in order to prevent the finishing and presenting of this remonstrance, came suddenly to the Parliament, and ended this session by a prorogation.<sup>32</sup>

Being freed for some time from the embarrassment of this assembly, Charles began to look towards foreign wars, where all his efforts were equally unsuccessful as in his domestic government. The Earl of Denbigh, brother-in-law to Buckingham, was despatched to the relief of Rochelle, now closely besieged by land and threatened with a blockade by sea; but he returned without effecting anything; and, having declined to attack the enemy's fleet, he brought on the English arms the imputation either of cowardice or ill conduct. In order to repair this dishonor, the duke went to Portsmouth, where he had prepared a considerable fleet and army, on which all the subsidies given by Parliament had been expended. This supply had very much disappointed the king's expectations. The same mutinous spirit which prevailed in the House of Commons had diffused itself over the nation, and the commissioners appointed for making the assessments had connived at all frauds which might diminish the supply and reduce the crown to still greater necessities. This national discontent, communicated to a desperate enthusiast, soon broke out in an event which may be considered as remarkable.

There was one Felton, of a good family, but of an ardent and melancholic temper, who had served under the duke in the station of lieutenant. His captain being killed in the retreat of the isle of Rhé, Felton had applied for the company, and, when disappointed, he threw up his commission and retired in discontent from the army. While private resentment was boiling in his sullen, unsociable mind, he heard the nation resound with complaints against the duke; and he met with the remonstrance of the Commons, in which his enemy was represented as the cause of every national grievance, and as the great enemy of the public. Religious fanaticism further inflamed these vindictive reflections, and he fancied that he should do Heaven acceptable service if at one blow he despatched this dangerous foe to religion and to his country.<sup>33</sup> Full of these dark views, he secretly arrived at Portsmouth at the same time with the duke, and watched for an opportunity of effecting his bloody purpose.

<sup>31</sup> Rushworth, vol. i. p. 623. Journal, June 18, 29, 1628.

<sup>32</sup> Journal, June 26, 1628.

<sup>33</sup> May's History of the Parliament, p. 10.

Buckingham had been engaged in conversation with Soubise and other French gentlemen, and a difference of sentiment having arisen, the dispute, though conducted with temper and decency, had produced some of those vehement gesticulations and lively exertions of voice in which that nation, more than the English, are apt to indulge themselves. The conversation being finished, the duke drew towards the door; and in that passage, turning himself to speak to Sir Thomas Fryar, a colonel in the army, he was on the sudden, over Sir Thomas's shoulder, struck upon the breast with a knife. Without uttering other words than, "The villain has killed me," in the same moment pulling out the knife, he breathed his last.

No man had seen the blow, nor the person who gave it; but in the confusion every one made his own conjecture; and all agreed that the murder had been committed by the French gentlemen, whose angry tone of voice had been heard, while their words had not been understood by the bystanders. In the hurry of revenge they had instantly been put to death, had they not been saved by some of more temper and judgment, who, though they had the same opinion of their guilt, thought proper to reserve them for a judicial trial and examination.

Near the door there was found a hat, in the inside of which was sewed a paper containing four or five lines of that remonstrance of the Commons which declared Buckingham an enemy to the kingdom; and under these lines was a short ejaculation, or attempt towards a prayer. It was easily concluded that this hat belonged to the assassin; but the difficulty still remained, who that person should be. For the writing discovered not the name; and whoever he was, it was natural to believe that he had already fled far enough not to be found without a hat.

In this hurry, a man without a hat was seen walking very composedly before the door. One crying out, "Here is the fellow who killed the duke," everybody ran to ask, "Which is he?" The man very sedately answered, "I am he." The more furious immediately rushed upon him with drawn swords; others, more deliberate, defended and protected him: he himself, with open arms, calmly and cheerfully exposed his breast to the swords of the most enraged, being willing to fall a sudden sacrifice to their anger rather than be reserved for that public justice which, he knew, must be executed upon him.

He was now known to be that Felton who had served in the army. Being carried into a private room, it was thought proper so far to dissemble as to tell him that Buckingham was only grievously wounded, but not without hopes of recovery. Felton smiled, and told them that the duke, he knew full well, had received a blow which had terminated all their hopes. When asked at whose instigation he had performed the horrid deed, he replied that they needed not to trouble themselves in that inquiry; that no man living had credit enough with him to have disposed him to such an action; that he had not even intrusted his purpose to any one; that the resolution proceeded only from himself, and the impulse of his own conscience; and that his motives would appear if his hat were found, for that, believing he should perish in the attempt, he had there taken care to explain them.<sup>34</sup>

When the king was informed of this assassination, he received the news in public with an unmoved and undisturbed countenance; and the courtiers, who studied his looks, concluded that secretly he was not displeased to be rid of a minister so generally odious to the nation.<sup>35</sup> But Charles's command of himself proceeded entirely from the gravity and composure of his temper. He was still, as much as ever, attached to his favorite; and during his whole life he retained an affection for Buckingham's friends and a prejudice against his enemies. He urged, too, that Felton should be put to the question, in order to extort from him a discovery of his accomplices; but the judges declared that, though that practice had formerly been very usual, it was altogether illegal: so much more exact reasoners, with regard to law, had they become, from the jealous scruples of the House of Commons.

Meanwhile the distress of Rochelle had risen to the utmost extremity. That vast genius of Richelieu, which made him form the greatest enterprises, led him to attempt their execution by means equally great and extraordinary. In order to deprive Rochelle of all succor, he had dared to project the throwing across the harbor a mole of a mile's extent in that boisterous ocean; and having executed his project, he now held the town closely blockaded on all sides. The inhabitants, though pressed with the greatest rigors of famine, still refused to submit, being supported partly by the lectures of their zealous preachers, partly by the daily

<sup>34</sup> Clarendon, vol. i. pp. 27, 28.

<sup>35</sup> Warwick, p. 34.



hopes of relief from England. After Buckingham's death, the command of the fleet and army was conferred on the Earl of Lindsey, who, arriving before Rochelle, made some attempts to break through the mole and force his way into the harbor; but, by the delays of the English, that work was now fully finished and fortified; and the Rochellers, finding their last hopes to fail them, were reduced to surrender at discretion, even in sight of the English admiral. Of fifteen thousand persons shut up in the city, four thousand alone survived the fatigues and famine which they had undergone.<sup>36</sup>

This was the first necessary step towards the prosperity of France. Foreign enemies, as well as domestic factions, being deprived of this resource, that kingdom began now to shine forth in its full splendor. By a steady prosecution of wise plans, both of war and policy, it gradually gained an ascendant over the rival power of Spain; and every order of the state, and every sect, was reduced to pay submission to the lawful authority of the sovereign. The victory, however, over the Huguenots was at first pushed by the French king with great moderation. A toleration was still continued to them—the only avowed and open toleration which at that time was granted in any European kingdom.

[1629.] The failure of an enterprise in which the English nation, from religious sympathy, so much interested themselves, could not but diminish the king's authority in the Parliament during the approaching session; but the Commons, when assembled, found many other causes of complaint. Buckingham's conduct and character with some had afforded a reason, with others a pretence, for discontent against public measures; but after his death there wanted not new reasons and new pretences for general dissatisfaction. Manwaring's pardon and promotion were taken notice of; Sibthorpe and Cosins, two clergymen who, for like reasons, were no less obnoxious to the Commons, had met with like favor from the king; Montague, who had been censured for moderation towards the Catholics, the greatest of crimes, had been created Bishop of Chichester. They found, likewise, upon inquiry, that all the copies of the Petition of Right, which were dispersed, had by the king's orders annexed to them the first answer, which had

<sup>36</sup> Rushworth, vol. i. p. 636.

given so little satisfaction to the Commons<sup>37</sup>—an expedient by which Charles endeavored to persuade the people that he had nowise receded from his former claims and pretensions, particularly with regard to the levying of tonnage and poundage. Selden also complained in the House that one Savage, contrary to the Petition of Right, had been punished with the loss of his ears by a discretionary or arbitrary sentence of the Star-chamber.<sup>38</sup> So apt were they, on their part, to stretch the petition into such consequences as might deprive the crown of powers which, from immemorial custom, were supposed inherent in it.

But the great article on which the House of Commons broke with the king, and which finally created in Charles a disgust to all parliaments, was their claim with regard to tonnage and poundage. On this occasion, therefore, it is necessary to give an account of the controversy.

The duty of tonnage and poundage, in more ancient times, had been commonly a temporary grant of parliament; but it had been conferred on Henry V., and all the succeeding princes, during life, in order to enable them to maintain a naval force for the defence of the kingdom. The necessity of levying this duty had been so apparent that each king had ever claimed it from the moment of his accession; and the first Parliament of each reign had usually, by vote, conferred on the prince what they found him already in possession of. Agreeably to the inaccurate genius of the old constitution, this abuse, however considerable, had never been perceived nor remedied, though nothing could have been easier than for the Parliament to have prevented it.<sup>39</sup> By granting this duty to each prince during his own life, and, for a year after his demise, to the successor, all inconveniences had been obviated; and yet the duty had never for a moment been levied without proper authority. But contrivances of that nature were not thought of during those rude ages; and as so complicated and jealous a government as the English cannot subsist without many such refinements, it is easy to see how favorable every inaccuracy must formerly have proved to royal authority, which on all emergencies was obliged to supply, by discretionary power, the great deficiency of the laws.

The Parliament did not grant the duty of tonnage and

<sup>37</sup> State Trials, vol. vii. p. 216. Rushworth, vol. i. p. 643.

<sup>38</sup> State Trials, vol. vii. p. 216. Parliamentary History, vol. viii. p. 246.

<sup>39</sup> Parliamentary History, vol. viii. pp. 339, 340.

poundage to Henry VIII. till the sixth of his reign. Yet this prince, who had not then raised his power to its greatest height, continued during that whole time to levy the imposition. The Parliament, in their very grant, blame the merchants who had neglected to make payment to the crown; and though one expression of that bill may seem ambiguous, they employ the plainest terms in calling tonnage and poundage the king's due, even before that duty was conferred on him by parliamentary authority.<sup>40</sup> Four reigns, and above a whole century, had since elapsed; and this revenue had still been levied before it was voted by Parliament. So long had the inaccuracy continued without being remarked or corrected.

During that short interval which passed between Charles's accession and his first Parliament, he had followed the example of his predecessors; and no fault was found with his conduct in this particular. But what was most remarkable in the proceedings of that House of Commons, and what proved beyond controversy that they had seriously formed a plan for reducing their prince to subjection, was, that instead of granting this supply during the king's lifetime, as it had been enjoyed by all his immediate predecessors, they voted it only for a year; and, after that should be elapsed, reserved to themselves the power of renewing or refusing the same concession.<sup>41</sup> But the House of Peers, who saw that this duty was now become more necessary than ever to supply the growing necessities of the crown, and who did not approve of this encroaching spirit in the Commons, rejected the bill; and the dissolution of that Parliament followed so soon after that no attempt seems to have been made for obtaining tonnage and poundage in any other form.<sup>42</sup>

Charles, meanwhile, continued still to levy this duty by his own authority, and the nation was so accustomed to that exertion of royal power that no scruple was at first entertained of submitting to it. But the succeeding Parliament excited doubts in every one. The Commons took there some steps towards declaring it illegal to levy tonnage and poundage without consent of Parliament; and they openly showed their intention of employing this engine, in order to extort from the crown concessions of the most important nature. But Charles was not yet sufficiently tamed

<sup>40</sup> 6 Henry VIII. cap. 14.

<sup>41</sup> Journal, July 5th, 1625.

<sup>42</sup> See note [O] at the end of the volume.

to compliance; and the abrupt dissolution of that Parliament, as above related, put an end, for the time, to their further pretensions.

The following interval between the second and third Parliament was distinguished by so many exertions of prerogative that men had little leisure to attend to the affair of tonnage and poundage, where the abuse of power in the crown might seem to be of a more disputable nature. But after the Commons, during the precedent session, had remedied all these grievances by means of their Petition of Right, which they deemed so necessary, they afterwards proceeded to take the matter into consideration; and they showed the same intention as formerly of exacting, in return for the grant of this revenue, very large compliances on the part of the crown. Their sudden prorogation prevented them from bringing their pretensions to a full conclusion.

When Charles opened this session, he had foreseen that the same controversy would arise; and he therefore took care, very early, among many mild and reconciling expressions, to inform the Commons "that he had not taken these duties as appertaining to his hereditary prerogative, but that it ever was, and still is, his meaning to enjoy them as the gift of his people; and that if he had hitherto levied tonnage and poundage, he pretended to justify himself only by the necessity of so doing, not by any right which he assumed."<sup>43</sup> This concession, which probably arose from the king's moderate temper, now freed from the impulse of Buckingham's violent counsels, might have satisfied the Commons had they entertained no other view than that of ascertaining their own powers and privileges. But they carried their pretensions much higher. They insisted, as a necessary preliminary, that the king should at once entirely desist from levying these duties; after which they were to take it into consideration how far they would restore him to the possession of a revenue of which he had clearly divested himself. But, besides that this extreme rigor had never been exercised towards any of his predecessors, and many obvious inconveniences must follow from the intermission of the customs, there were other reasons which deterred Charles from complying with so hard a condition. It was probable that the Commons might renew their former project of making this revenue only temporary, and thereby reducing their prince

<sup>43</sup> Rushworth, vol. i. p. 614. Parliamentary History. vol. viii pp. 256, 346.



to perpetual dependence; they certainly would cut off the new impositions which Mary and Elizabeth, but especially James, had levied, and which formed no despicable part of the public revenue; and they openly declared that they had at present many important pretensions chiefly with regard to religion; and if compliance were refused, no supply must be expected from the Commons.

It is easy to see in what an inextricable labyrinth Charles was now involved. By his own concessions, by the general principles of the English government, and by the form of every bill which had granted this duty, tonnage and poundage was derived entirely from the free gift of the people; and, consequently, might be withdrawn at their pleasure. If unreasonable in their refusal, they still refused nothing but what was their own. If public necessity required this supply, it might be thought also to require the king's compliance with those conditions which were the price of obtaining it. Though the motive for granting it had been the enabling of the king to guard the seas, it did not follow that because he guarded the seas he was therefore entitled to this revenue without further formality, since the people had still reserved to themselves the right of judging how far that service merited such a supply. But Charles, notwithstanding his public declaration, was far from assenting to this conclusion in its full extent. The plain consequence, he saw, of all these rigors and refinements and inferences was, that he, without any public necessity, and without any fault of his own, must, of a sudden, even from his accession, become a magistrate of a very different nature from any of his predecessors, and must fall into a total dependence on subjects over whom former kings, especially those immediately preceding, had exercised an authority almost unlimited. Entangled in a chain of consequences which he could not easily break, he was inclined to go higher, and rather deny the first principle than admit of conclusions which to him appeared so absurd and unreasonable. Agreeably to the ideas hitherto entertained both by natives and foreigners, the monarch he esteemed the essence and soul of the English government; and whatever other power pretended to annihilate, or even abridge, the royal authority, must necessarily, he thought, either in its nature or exercise, be deemed no better than a usurpation. Willing to preserve the ancient harmony of the constitution, he had ever intended to comply, as far as he *easily* could, with the ancient

forms of administration. But when these forms appeared to him, by the inveterate obstinacy of the Commons, to have no other tendency than to disturb that harmony and to introduce a new constitution, he concluded that, in this violent situation, what was subordinate must necessarily yield to what was principal, and the privileges of the people for a time give place to royal prerogative. From the rank of a monarch, to be degraded into a slave of his insolent, ungrateful subjects seemed of all indignities the greatest; and nothing, in his judgment, could exceed the humiliation attending such a state but the meanness of tamely submitting to it without making some efforts to preserve the authority transmitted to him by his predecessors.

Though these were the king's reflections and resolutions before the Parliament assembled, he did not immediately break with them upon their delay in voting him this supply. He thought that he could better justify any strong measure which he might afterwards be obliged to take if he allowed them to carry to the utmost extremities their attacks upon his government and prerogative.<sup>44</sup> He contented himself, for the present, with soliciting the House by messages and speeches. But the Commons, instead of hearkening to his solicitations, proceeded to carry their scrutiny into his management of religion,<sup>45</sup> which was the only grievance to which, in their opinion, they had not as yet, by their Petition of Right, applied a sufficient remedy.

It was not possible that this century, so fertile in religious sects and disputes, could escape the controversy concerning fatalism and free-will, which, being strongly interwoven both with philosophy and theology, had, in all ages, thrown every school and every church into such inextricable doubt and perplexity. The first reformers in England, as in other European countries, had embraced the most rigid tenets of predestination and absolute decrees, and had composed upon that system all the articles of their religious creed. But these principles having met with opposition from Arminius and his sectaries, the controversy was soon brought into this island, and began here to diffuse itself. The Arminians finding more encouragement from the superstitious spirit of the Church than from the fanaticism of the Puritans, gradually incorporated themselves with the former; and some of that sect, by the indulgence of James and

<sup>44</sup> Rushworth, vol. i. p. 640.

<sup>45</sup> Rushworth, vol. i. p. 651. Whitlocke, p. 12.

Charles, had attained the highest preferments in the hierarchy. But their success with the public had not been altogether answerable to that which they met with in the Church and the court. Throughout the nation they still lay under the reproach of innovation and heresy. The Commons now levelled against them their formidable censures, and made them the objects of daily invective and declamation. Their protectors were stigmatized; their tenets canvassed; their views represented as dangerous and pernicious. To impartial spectators surely, if any such had been at that time in England, it must have given great entertainment to see a popular assembly, inflamed with faction and enthusiasm, pretend to discuss questions to which the greatest philosophers in the tranquillity of retreat had never hitherto been able to find any satisfactory solution.

Amid that complication of disputes in which men were then involved, we may observe that the appellation *Puritan* stood for three parties, which, though commonly united, were yet actuated by very different views and motives. There were the political Puritans, who maintained the highest principles of civil liberty; the Puritans in discipline, who were averse to the ceremonies and episcopal government of the Church; and the doctrinal Puritans, who rigidly defended the speculative system of the first reformers. In opposition to all these stood the court party, the hierarchy, and the Arminians; only with this distinction, that the latter sect, being introduced a few years before, did not as yet comprehend all those who were favorable to the Church and to monarchy. But, as the controversies on every subject grew daily warmer, men united themselves more intimately with their friends, and separated themselves wider from their antagonists; and the distinction gradually became quite uniform and regular.

This House of Commons, which, like all the preceding during the reigns of James and Charles, and even of Elizabeth, was much governed by the puritanical party, thought that they could not better serve their cause than by branding and punishing the Arminian sect, which, introducing an innovation in the Church, were the least favored and least powerful of all their antagonists. From this measure it was easily foreseen that, besides gratifying the animosity of the doctrinal Puritans, both the Puritans in discipline and those in politics would reap considerable advantages. Laud, Neile, Montague, and other bishops, who were the chief sup-

porters of episcopal government and the most zealous partisans of the discipline and ceremonies of the Church, were all supposed to be tainted with Arminianism. The same men and their disciples were the strenuous preachers of passive obedience and of entire submission to princes; and if these could once be censured, and be expelled the Church and court, it was concluded that the hierarchy would receive a mortal blow, the ceremonies be less rigidly insisted on, and the king, deprived of his most faithful friends, be obliged to abate those high claims of prerogative on which at present he insisted.

But Charles, besides a view of the political consequences which must result from a compliance with such pretensions, was strongly determined, from principles of piety and conscience, to oppose them. Neither the dissipation incident to youth, nor the pleasures attending a high fortune, had been able to prevent this virtuous prince from embracing the most sincere sentiments of religion; and that character which, in that religious age, should have been of infinite advantage to him, proved in the end the chief cause of his ruin; merely because the religion adopted by him was not of that precise mode and sect which *began* to prevail among his subjects. His piety, though remote from popery, had a tincture of superstition in it; and, being averse to the gloomy spirit of the Puritans, was represented by them as tending towards the abominations of Antichrist. Laud also had unfortunately acquired a great ascendant over him; and as all those prelates, obnoxious to the Commons, were regarded as his chief friends and most favorite courtiers, he was resolved not to disarm and dishonor himself by abandoning them to the resentment of his enemies. Being totally unprovided with military force, and finding a refractory independent spirit to prevail among the people, the most solid basis of his authority, he thought, consisted in the support which he received from the hierarchy.

In the debates of the Commons which are transmitted to us, it is easy to discern so early some sparks of that enthusiastic fire which afterwards set the whole nation in combustion. One Rouse made use of an allusion which, though familiar, seems to have been borrowed from the writings of Lord Bacon.<sup>46</sup> "If a man meet a dog alone," said he, "the dog is fearful, though ever so fierce by nature; but if the dog have his master with him, he will set upon that man

<sup>46</sup> Essay of Atheism.



from whom he fled before. This shows that lower natures, being backed by higher, increase in courage and strength; and certainly man, being backed with Omnipotency, is a kind of omnipotent creature. All things are possible to him that believes, and where all things are possible there is a kind of omnipotency. Wherefore, let it be the unanimous consent and resolution of us all to make a vow and covenant henceforth to hold fast our God and our religion; and then shall we henceforth expect with certainty happiness in this world.”<sup>47</sup>

Oliver Cromwell, at that time a young man of no account in the nation, is mentioned in these debates as complaining of one who, he was told, preached flat popery.<sup>48</sup> It is amusing to observe the first words of this fanatical hypocrite correspond so exactly to his character.

The inquiries and debates concerning tonnage and poundage went hand in hand with these theological or metaphysical controversies. The officers of the custom-house were summoned before the Commons to give an account by what authority they had seized the goods of merchants who had refused to pay these duties: the barons of the exchequer were questioned concerning their decrees on that head.<sup>49</sup> One of the sheriffs of London was committed to the Tower for his activity in supporting the officers of the custom-house; the goods of Rolles, a merchant and a member of the House, being seized for his refusal to pay the duties, complaints were made of this violence, as if it were a breach of privilege.<sup>50</sup> Charles supported his officers in all these measures; and the quarrel grew every day higher between him and the Commons.<sup>51</sup> Mention was made in the House of impeaching Sir Richard Weston, the treasurer;<sup>52</sup> and the king began to entertain thoughts of finishing the session by a dissolution.

Sir John Elliot framed a remonstrance against levying tonnage and poundage without consent of Parliament, and offered it to the clerk to read. It was refused. He read it himself. The question being then called for, the speaker, Sir John Finch, said that “he had a command from the king to adjourn, and to put no question.”<sup>53</sup> Upon which he rose

<sup>47</sup> Rushworth, vol. i. p. 646. Parliamentary History, vol. viii. p. 260.

<sup>48</sup> Rushworth, vol. i. p. 655. Parliamentary History, vol. viii. p. 289.

<sup>49</sup> Rushworth, vol. i. p. 654. Parliamentary History, vol. viii. p. 301.

<sup>50</sup> Rushworth, vol. i. p. 653.

<sup>51</sup> Rushworth, vol. i. p. 658.

<sup>52</sup> Parliamentary History, vol. viii. p. 326.

<sup>53</sup> The king's power of adjourning as well as proroguing the Parliament was, and is, never questioned. In the 19th of the late king, the judges determined,

and left the chair. The whole House was in an uproar. The speaker was pushed back into the chair, and forcibly held in it by Hollis and Valentine, till a short remonstrance was framed, and was passed by acclamation rather than by vote. Papists and Arminians were there declared capital enemies to the commonwealth. Those who levied tonnage and poundage were branded with the same epithet; and even the merchants who should voluntarily pay these duties were denominated betrayers of English liberty and public enemies. The doors being locked, the gentleman usher of the House of Lords, who was sent by the king, could not get admittance till this remonstrance was finished. By the king's order, he took the mace from the table, which ended their proceedings; <sup>54</sup> and a few days after the Parliament was dissolved.

The discontents of the nation ran high, on account of this violent rupture between the king and Parliament. These discontents Charles inflamed by his affectation of a severity which he had not power, nor probably inclination, to carry to extremities. Sir Miles Hobart, Sir Peter Heyman, Selden, Coriton, Long, Strode, were committed to prison, on account of the last tumult in the House, which was called sedition.<sup>55</sup> With great difficulty, and after several delays, they were released; and the law was generally supposed to be wrested, in order to prolong their imprisonment. Sir John Elliot, Hollis, and Valentine were summoned to their trial in the king's bench, for seditious speeches and behavior in Parliament; but refusing to answer before an inferior court for their conduct as members of a superior, they were condemned to be imprisoned during the king's pleasure, to find sureties for their good behavior, and to be fined, the two former in a thousand pounds apiece, the latter five hundred.<sup>56</sup> This sentence, procured by the influence of the crown, served only to show the king's disregard to the privileges of Parliament, and to acquire an immense stock of popularity to the sufferers, who had so bravely, in opposition to arbitrary power, defended the liberties of their native country. The Commons of England, though an immense body, and possessed of the greater part of national property,

that the adjournment by the king kept the Parliament *in statu quo* until the next sitting; but that then no committees were to meet; but if the adjournment be by the House, then the committees and other matters do continue.—Parliamentary History, vol. v. p. 466.

<sup>54</sup> Rushworth, vol. i. p. 660. Whitlocke, p. 12.

<sup>55</sup> Rushworth, vol. i. pp. 661, 681. Parliamentary History, vol. viii. p. 354. May, p. 13.

<sup>56</sup> Rushworth, vol. i. pp. 684, 691.

were naturally somewhat defenceless, because of their personal equality and their want of leaders ; but the king's severity, if these prosecutions deserve the name, here pointed out leaders to them whose resentment was inflamed, and whose courage was nowise daunted by the hardships which they had undergone in so honorable a cause.

So much did these prisoners glory in their sufferings that, though they were promised liberty on that condition, they would not condescend even to present a petition to the king expressing their sorrow for having offended him.<sup>57</sup> They unanimously refused to find sureties for their good behavior, and disdained to accept of deliverance on such easy terms. Nay, Hollis was so industrious to continue his meritorious distress that, when one offered to bail him he would not yield to the rule of court and be himself bound with his friend. Even Long, who had actually found sureties in the chief-justice's chamber, declared in court that his sureties should no longer continue.<sup>58</sup> Yet, because Sir John Elliot happened to die while in custody, a great clamor was raised against the administration ; and he was universally regarded as a martyr to the liberties of England.<sup>59</sup>

<sup>57</sup> Whitlocke, p. 13.    <sup>58</sup> Kennet, vol. iii. p. 49.    <sup>59</sup> Rushworth, vol. v. p. 440.

## CHAPTER LII.

PEACE WITH FRANCE.—PEACE WITH SPAIN.—STATE OF THE COURT AND MINISTRY.—CHARACTER OF THE QUEEN.—STRAFFORD.—LAUD.—INNOVATIONS IN THE CHURCH.—IRREGULAR LEVIES OF MONEY.—SEVERITIES IN THE STAR-CHAMBER AND HIGH COMMISSION.—SHIP-MONEY.—TRIAL OF HAMBDEN.

[1629.] THERE now opens to us a new scene. Charles, naturally disgusted with parliaments, who, he found, were determined to proceed against him with unmitigated rigor, both in invading his prerogative and refusing him all supply, resolved not to call any more till he should see greater indications of a compliant disposition in the nation. Having lost his great favorite, Buckingham, he became his own minister, and never afterwards reposed in any one such unlimited confidence. As he chiefly follows his own genius and disposition, his measures are henceforth less rash and hasty; though the general tenor of his administration still wants somewhat of being entirely legal, and perhaps more of being entirely prudent.

We shall endeavor to exhibit a just idea of the events which followed for some years, so far as they regard foreign affairs, the state of the court, and the government of the nation. The incidents are neither numerous nor illustrious, but the knowledge of them is necessary for understanding the subsequent transactions which are so memorable.

Charles, destitute of all supply, was necessarily reduced to embrace a measure which ought to have been the result of reason and sound policy: he made peace with the two crowns against which he had hitherto waged a war, entered into without necessity and conducted without glory. Notwithstanding the distracted and helpless condition of England, no attempt was made, either by France or Spain, to invade their enemy; nor did they entertain any further project than to defend themselves against the feeble and ill-concerted expeditions of that kingdom. Pleased that the jealousies and quarrels between the king and Parliament



had disarmed so formidable a power, they carefully avoided any enterprise which might rouse either the terror or anger of the English, and dispose them to domestic union and submission. The endeavors to regain the good-will of the nation were carried so far by the King of Spain that he generously released and sent home all the English prisoners taken in the expedition against Cadiz. The example was imitated by France, after the retreat of the English from the isle of Rhé. When princes were in such dispositions, and had so few pretensions on each other, it could not be difficult to conclude a peace. The treaty was first signed with France.<sup>1</sup> The situation of the king's affairs did not entitle him to demand any conditions for the Huguenots, and they were abandoned to the will of their sovereign. [1630.] Peace was afterwards concluded with Spain, where no conditions were made in favor of the Palatine, except that Spain promised in general to use their good offices for his restoration.<sup>2</sup> The influence of these two wars on domestic affairs, and on the dispositions of king and people, was of the utmost consequence; but no alteration was made by them on the foreign interests of the kingdom.

Nothing more happy can be imagined than the situation in which England then stood with regard to foreign affairs. Europe was divided between the rival families of Bourbon and Austria, whose opposite interests, and still more their mutual jealousies, secured the tranquillity of this island; their forces were so nearly counterpoised that no apprehensions were entertained of any event which could suddenly disturb the balance of power between them. The Spanish monarch, deemed the most powerful, lay at greatest distance; and the English, by that means, possessed the advantage of being engaged by political motives in a more intimate union and confederacy with the neighboring potentate. The dispersed situation of the Spanish dominions rendered the naval power of England formidable to them, and kept that empire in continual dependence. France, more vigorous and more compact, was every day rising in policy and discipline, and reached at last an equality of power with the House of Austria; but her progress, slow and gradual, left it still in the power of England, by a timely interposition, to check her superiority. And thus Charles, could he have avoided all dissensions with his own subjects, was in a situation to make himself be courted and respected by every power in

<sup>1</sup> Rushworth, vol. ii. pp. 23, 24. <sup>2</sup> Rushworth, vol. ii. p. 75. Whitlocke, p. 14.

Europe; and, what has scarcely ever since been attained by the princes of this island, he could either be active with dignity or neutral with security.

A neutrality was embraced by the king, and during the rest of his reign he seems to have little regarded foreign affairs, except so far as he was engaged by honor, and by friendship for his sister and the Palatine, to endeavor the procuring of some relief for that unhappy family. He joined his good offices to those of France, and mediated a peace between the Kings of Sweden and Poland, in hopes of engaging the former to embrace the protection of the oppressed Protestants in the empire. This was the famed Gustavus, whose heroic genius, seconded by the wisest policy, made him in a little time the most distinguished monarch of the age, and rendered his country, formerly unknown and neglected, of great weight in the balance of Europe. To encourage and assist him in his projected invasion of Germany, Charles agreed to furnish him with six thousand men; but that he might preserve the appearance of neutrality, he made use of the Marquis of Hamilton's name.<sup>3</sup> That nobleman entered into an engagement with Gustavus, and enlisting these troops in England and Scotland at Charles's expense, he landed them in the Elbe. The decisive battle of Leipsic was fought soon after, where the conduct of Tilly and the valor of the imperialists were overcome by the superior conduct of Gustavus and the superior valor of the Swedes. What remained of this hero's life was one continued series of victory, for which he was less beholden to fortune than to those personal endowments which he derived from nature and from industry. That rapid progress of conquest which we so much admire in ancient history was here renewed in modern annals, and without that cause to which in former ages it had ever been owing. Military nations were not now engaged against an undisciplined and unwarlike people, nor heroes set in opposition to cowards. The veteran troops of Ferdinand, conducted by the most celebrated generals of the age, were foiled in every encounter, and all Germany was overrun in an instant by the victorious Swede. But by this extraordinary and unexpected success of his ally, Charles failed of the purpose for which he framed the alliance. Gustavus, elated by prosperity, began to form more extensive plans of ambition, and in freeing Germany from the yoke of Ferdinand, he intended to

<sup>3</sup> Rushworth, vol. i. pp. 46, 53, 62, 83.

reduce it to subjection under his own. He refused to restore the Palatine to his principality, except on conditions which would have kept him in total dependence.<sup>4</sup> And thus the negotiation was protracted till the battle of Lutzen, where the Swedish monarch perished in the midst of a complete victory which he obtained over his enemies.

We have carried on these transactions a few years beyond the present period that we might not be obliged to return to them, nor be henceforth interrupted in our account of Charles's court and kingdoms.

When we consider Charles as presiding in his court, as associating with his family, it is difficult to imagine a character at once more respectable and more amiable. A kind husband, an indulgent father, a gentle master, a steadfast friend, to all these eulogies his conduct in private life fully entitled him. As a monarch, too, in the exterior qualities he excelled; in the essential, he was not defective. His address and manner, though perhaps inclining a little towards stateliness and formality, in the main corresponded to his high rank, and gave grace to that reserve and gravity which were natural to him. The moderation and equity which shone forth in his temper *seemed* to secure him against rash and dangerous enterprises; the good sense which he displayed in his discourse and conversation *seemed* to warrant his success in every reasonable undertaking. Other endowments likewise he had attained, which in a private gentleman would have been highly ornamental, and which in a great monarch might have proved extremely useful to his people. He was possessed of an excellent taste in all the fine arts, and the love of painting was, in some degree, his favorite passion. Learned beyond what is common in princes, he was a good judge of writing in others, and enjoyed, himself, no mean talent in composition. In any other age or nation, this monarch had been secure of a prosperous and a happy reign. But the high idea of his own authority which he had imbibed made him incapable of giving way to the spirit of liberty which *began* to prevail among his subjects. His politics were not supported by such vigor and foresight as might enable him to subdue their pretensions and maintain his prerogative at the high pitch to which it had been raised by his predecessors; and, above all, the spirit of enthusiasm being universally diffused disappointed

<sup>4</sup> Franklyn, vol. i. p. 415

all the views of human prudence and disturbed the operation of every motive which usually influences society.

But the misfortunes arising from these causes were yet remote. Charles now enjoyed himself in the full exercise of his authority, in a social intercourse with his friends and courtiers, and in a moderate use of those pleasures which he most affected.

After the death of Buckingham, who had somewhat alienated Charles from the queen, she is to be considered as his chief friend and favorite. That rustic contempt of the fair sex which James affected, and which, banishing them from his court, made it resemble more a fair or an exchange than the seat of a great prince, was very wide of the disposition of this monarch. But though full of complaisance to the whole sex, Charles reserved all his passion for his consort, to whom he attached himself with unshaken fidelity and confidence. By her sense and spirit as well as by her beauty she justified the fondness of her husband, though it is allowed that, being somewhat of a passionate temper, she precipitated him into hasty and imprudent measures. Her religion, likewise, to which she was much addicted, must be regarded as a great misfortune, since it augmented the jealousy which prevailed against the court, and engaged her to procure for the Catholics some indulgences which were generally distasteful to the nation.<sup>5</sup>

In the former situation of the English government, when the sovereign was in a great measure independent of his subjects, the king chose his ministers either from personal favor or from an opinion of their abilities, without any regard to their parliamentary interest or talents. It has since been the maxim of princes, wherever popular leaders encroach too much on royal authority, to confer offices on them, in expectation that they will afterwards become more careful not to diminish that power which has become their own. These politics were now embraced by Charles—a sure proof that a secret revolution had happened in the constitution and had necessitated the prince to adopt new maxims of government.<sup>6</sup> But the views of the king were at this time so repugnant to those of the Puritans that the leaders whom he gained lost from that moment all interest with their party, and were even pursued as traitors with implacable hatred and resentment. This was the case with Sir Thomas Wentworth, whom the king created, first a

<sup>5</sup> May, p. 21.

<sup>6</sup> Sir Edward Walker, p. 328.



baron, then a viscount, and afterwards Earl of Strafford; made him president of the Council of York, and deputy of Ireland, and regarded him as his chief minister and councillor. By his eminent talents and abilities, Strafford merited all the confidence which his master reposed in him: his character was stately and austere, more fitted to procure esteem than love; his fidelity to the king was unshaken; but as he now employed all his counsels to support the prerogative which he had formerly bent all his endeavors to diminish, his virtue seems not to have been entirely pure, but to have been susceptible of strong impressions from private interest and ambition. Sir Dudley Digges was about the same time created master of the rolls; Noy, attorney-general; Littleton, solicitor-general. All these had likewise been parliamentary leaders, and were men eminent in their profession.<sup>7</sup>

In all ecclesiastical affairs, and even in many civil, Laud, Bishop of London, had great influence over the king. This man was virtuous, if severity of manners alone and abstinence from pleasure could deserve that name. He was learned, if polemical knowledge could entitle him to that praise. He was disinterested, but with unceasing industry he studied to exalt the priestly and prelatical character, which was his own. His zeal was unrelenting in the cause of religion—that is, in imposing by rigorous measures his own tenets and pious ceremonies on the obstinate Puritans who had profanely dared to oppose him. In prosecution of his holy purposes, he overlooked every human consideration; or, in other words, the heat and indiscretion of his temper made him neglect the views of prudence and rules of good manners. He was in this respect happy that all his enemies were also imagined by him the declared enemies to loyalty and true piety, and that every exercise of his anger by that means became in his eyes a merit and a virtue. This was the man who acquired so great an ascendant over Charles, and who led him, by the facility of his temper, into a conduct which proved so fatal to himself and to his kingdoms.

The humor of the nation ran at that time into the extreme opposite to superstition, and it was with difficulty that the ancient ceremonies to which men had been accustomed, and which had been sanctified by the practice of the first reformers, could be retained in divine service; yet was this the

<sup>7</sup> Whitlocke, p. 13. May, p. 20.

time which Laud chose for the introduction of new ceremonies and observances. Besides that these were sure to displease as innovations, there lay, in the opinion of the public, another very forcible objection against them. Laud and the other prelates who embraced his measures were generally well instructed in sacred antiquity, and had adopted many of those religious sentiments which prevailed during the fourth and fifth centuries, when the Christian Church, as is well known, was already sunk into those superstitions which were afterwards continued and augmented by the policy of Rome. The revival, therefore, of the ideas and practices of that age could not fail of giving the English faith and liturgy some resemblance to the Catholic superstition, which the kingdom in general and the Puritans in particular held in the greatest horror and detestation. Men, also, were apt to think that, without some secret purpose, such insignificant observances would not be imposed with such unrelenting zeal on the refractory nation, and that Laud's scheme was to lead back the English by gradual steps to the religion of their ancestors. They considered not that the very insignificance of these ceremonies recommended them to the superstitious prelate, and made them appear the more peculiarly sacred and religious, as they could serve to no other purpose. Nor was the resemblance to the Romish ritual any objection, but rather a merit, with Laud and his brethren, who bore a much greater kindness to the mother Church, as they called her, than to the sectaries and Presbyterians, and frequently recommended her as a true Christian Church, an appellation which they refused, or at least scrupled, to give to the others.<sup>8</sup> So openly were these tenets espoused that not only the discontented Puritans believed the Church of England to be relapsing fast into Romish superstition, the court of Rome itself entertained hopes of regaining its authority in this island; and in order to forward Laud's supposed good intentions, an offer was twice made him, in private, of a cardinal's hat, which he declined accepting.<sup>9</sup> His answer was, as he says himself, "that something dwelt within him which would not suffer his compliance till Rome were other than it is."<sup>10</sup>

A court lady, daughter of the Earl of Devonshire, having turned Catholic, was asked by Laud the reason of her conversion. "'Tis chiefly," said she, "because I hate

<sup>8</sup> May, p. 25.

<sup>9</sup> Rushworth, vol. ii. p. 190. Welwood, p. 61.

<sup>10</sup> Rushworth, vol. iii. p. 1327. Whitlocke, p. 97.

to travel in a crowd." The meaning of this expression being demanded, she replied, "I perceive your grace and many others are making haste to Rome; and, therefore, in order to prevent my being crowded, I have gone before you." It must be confessed that, though Laud deserved not the appellation of Papist, the genius of his religion was, though in a less degree, the same with that of the Romish: the same profound respect was exacted to the sacerdotal character, the same submission required to the creeds and decrees of synods and councils, the same pomp and ceremony was affected in worship, and the same superstitious regard to days, postures, meats, and vestments. No wonder, therefore, that this prelate was everywhere among the Puritans regarded with horror as the forerunner of Antichrist.

As a specimen of the new ceremonies to which Laud sacrificed his own quiet and that of the nation, it may not be amiss to relate those which he was accused of employing in the consecration of St. Catherine's Church, and which were the object of such general scandal and offence.

On the bishop's approach to the west door of the church, a loud voice cried, "Open, open, ye everlasting doors, that the King of glory may enter in!" Immediately the doors of the church flew open, and the bishop entered. Falling upon his knees, with eyes elevated and arms expanded, he uttered these words: "This place is holy; the ground is holy: in the name of the Father, Son, and Holy Ghost, I pronounce it holy."

Going towards the chancel, he several times took up from the floor some of the dust and threw it in the air. When he approached with his attendants near to the communion-table, he bowed frequently towards it; and, on their return, they went round the church, repeating, as they marched along, some of the Psalms; and then said a form of prayer which concluded with these words: "We consecrate this church, and separate it unto thee as holy ground, not to be profaned any more to common uses."

After this the bishop, standing near the communion-table, solemnly pronounced many imprecations upon such as should afterwards pollute that holy place by musters of soldiers, or keeping in it profane law-courts, or carrying burdens through it. On the conclusion of every curse he bowed towards the east and cried, "Let all the people say, Amen."

The imprecations being all so piously finished, there were poured out a number of blessings upon such as had any hand in framing and building that sacred and beautiful edifice, and on such as had given, or should hereafter give, to it any chalices, plate, ornaments, or utensils. At every benediction, he in like manner bowed towards the east, and cried, "Let all the people say, Amen."

The sermon followed; after which the bishop consecrated and administered the sacrament in the following manner:

As he approached the communion-table, he made many lowly reverences; and coming up to that part of the table where the bread and wine lay, he bowed seven times. After the reading of many prayers, he approached the sacramental elements, and gently lifted up the corner of the napkin in which the bread was placed. When he beheld the bread, he suddenly let fall the napkin, flew back a step or two, bowed three several times towards the bread; then he drew nigh again, opened the napkin, and bowed as before.

Next, he laid his hand on the cup, which had a cover upon it, and was filled with wine. He let go the cup, fell back, and bowed thrice towards it. He approached again; and, lifting up the cover, peeped into the cup. Seeing the wine, he let fall the cover, started back, and bowed as before. Then he received the sacrament, and gave it to others. And many prayers being said, the solemnity of the consecration ended. The walls and floor and roof of the fabric were then supposed to be sufficiently holy.<sup>11</sup>

Orders were given and rigorously insisted on that the communion-table should be removed from the middle of the area, where it hitherto stood in all churches, except in cathedrals.<sup>12</sup> It was placed at the east end, railed in, and denominated an ALTAR—as the clergyman who officiated received commonly the appellation of PRIEST. It is not easy to imagine the discontents excited by this innovation, and the suspicions which it gave rise to.

The kneeling at the altar, and the using of copes, a species of embroidered vestment, in administering the sacrament, were also known to be great objects of scandal as being popish practices; but the opposition increased rather than abated the zeal of the prelate for the introduction of these habits and ceremonies.

<sup>11</sup> Rushworth, vol. ii. pp. 76, 77. Welwood, p. 275. Franklyn, p. 386.

<sup>12</sup> Rushworth, vol. ii. p. 207. Whitlocke, p. 24.



All kinds of ornament, especially pictures, were necessary for supporting that mechanical devotion which was purposed to be raised in this model of religion; but, as these had been so much employed by the Church of Rome, and had given rise to so much superstition, or what the Puritans call idolatry, it was impossible to introduce them into English churches without exciting general murmurs and complaints. But Laud, possessed of present authority, persisted in his purpose, and made several attempts towards acquiring these ornaments. Some of the pictures introduced by him were also found, upon inquiry, to be the very same that might be met with in the mass-book. The crucifix, too, that eternal consolation of all pious Catholics, and terror to all sound Protestants, was not forgotten on this occasion.<sup>13</sup>

It was much remarked that Sherfield, the recorder of Salisbury, was tried in the Star-chamber for having broken, contrary to the Bishop of Salisbury's express injunctions a painted window of St. Edmond's Church in that city. He boasted that he had destroyed these monuments of idolatry; but for this effort of his zeal he was fined five hundred pounds, removed from his office, condemned to make a public acknowledgment, and be bound to his good behavior.<sup>14</sup>

Not only such of the clergy as neglected to observe every ceremony were suspended and deprived by the high commission court. Oaths were, by many of the bishops, imposed on the churchwardens; and they were sworn to inform against any one who acted contrary to the ecclesiastical canons.<sup>15</sup> Such a measure, though practised during the reign of Elizabeth, gave much offence as resembling too nearly the practice of the Romish Inquisition.

To show the greater alienation from the churches reformed after the Presbyterian model, Laud advised that the discipline and worship of the Church should be imposed on the English regiments and trading companies abroad.<sup>16</sup> All foreigners of the Dutch and Walloon congregations were commanded to attend the Established Church; and indulgence was granted to none after the children of the first denizens.<sup>17</sup> Scudamore, too, the king's ambassador at Paris, had orders to withdraw himself from the communion of the

<sup>13</sup> Rushworth, vol. ii. pp. 272, 273.

<sup>14</sup> Rushworth, vol. ii. p. 152. State Trials, vol. v. p. 46. Franklyn, pp. 410, 411, 412.

<sup>15</sup> Rushworth, vol. ii. p. 186.

<sup>16</sup> Rushworth, vol. ii. p. 249. Franklyn, p. 451. <sup>17</sup> Rushworth, vol. ii. p. 272,

Huguenots. Even men of sense were apt to blame this conduct, not only because it gave offence in England, but because, in foreign countries, it lost the crown the advantage of being considered as the head and support of the Reformation.<sup>18</sup>

On pretence of pacifying disputes, orders were issued from the council forbidding on both sides all preaching and printing with regard to the controverted points of predestination and free-will. But it was complained of, and probably with reason, that the impartiality was altogether confined to the orders, and that the execution of them was only meant against the Calvinists.

In return for Charles's indulgence towards the Church, Laud and his followers took care to magnify, on every occasion, the regal authority, and to treat with the utmost disdain or detestation all puritanical pretensions to a free and independent constitution. But while these prelates were so liberal in raising the crown at the expense of public liberty, they made no scruple of encroaching themselves on the royal rights the most incontestable, in order to exalt the hierarchy and procure to their own order dominion and independence. All the doctrines which the Romish Church had borrowed from some of the fathers, and which freed the spiritual from subordination to the civil power, were now adopted by the Church of England and interwoven with her political and religious tenets. A divine and apostolical charter was insisted on preferably to a legal and parliamentary one.<sup>19</sup> The sacerdotal character was magnified as sacred and indefeasible. All right to spiritual authority, or even to private judgment in spiritual subjects, was refused to profane laymen; ecclesiastical courts were held by the bishops in their own name without any notice taken of the king's authority; and Charles, though extremely jealous of every claim in popular assemblies, seemed rather to encourage than repress those encroachments of his clergy. Having felt many sensible inconveniences from the independent spirit of parliaments, he attached himself entirely to those who professed a devoted obedience to his crown and person; nor did he foresee that the ecclesiastical power which he exalted, not admitting of any precise boundary, might in time become more dangerous to public peace, and no less fatal to royal prerogative, than the other.

<sup>18</sup> State Papers collected by the Earl of Clarendon, p. 338.

<sup>19</sup> Whitlocke, p. 22.

So early as the coronation, Laud was the person, according to general opinion, that introduced a novelty, which, though overlooked by Charles, made a deep impression on many of the bystanders. After the usual ceremonies, these words were recited to the king: "Stand and hold fast, from henceforth, the place to which you have been heir by the succession of your forefathers, being now delivered to you by the authority of Almighty God, and by the hands of us and all the bishops and servants of God. And as you see clergy to come nearer the altar than others, so remember that in all places convenient, you give them greater honor; that the Mediator of God and man may establish you on the kingly throne to be a mediator betwixt the clergy and the laity; and that you may reign forever with Jesus Christ, the King of kings, and Lord of lords."<sup>20</sup>

The principles which exalted prerogative were not entertained by the king merely as soft and agreeable to his royal ears. They were also put in practice during the time that he ruled without parliaments. Though frugal and regular in his expense, he wanted money for the support of government; and he levied it either by the revival of obsolete laws, or by violations—some more open, some more disguised—of the privileges of the nation. Though humane and gentle in his temper, he gave way to a few severities in the Star-chamber and high commission, which seemed necessary in order to support the present mode of administration and repress the rising spirit of liberty throughout the kingdom. Under these two heads may be reduced all the remarkable transactions of this reign during some years; for, in peaceable and prosperous times, where a neutrality in foreign affairs is observed, scarcely anything is remarkable but what is, in some degree, blamed or blamable. And, lest the hope of relief or protection from Parliament might encourage opposition, Charles issued a proclamation, in which he declared "that, whereas, for several ill ends, the calling again of a Parliament is divulged—though his majesty has shown by frequent meetings with his people his love to the use of parliaments—yet the late abuse having, for the present, driven him unwillingly out of that course, he will account it presumption for any one to prescribe to him any time for the calling of that assembly."<sup>21</sup> This was generally construed as a declaration that during this reign no more par-

<sup>20</sup> Franklyn, p. 114. Rushworth, vol. i. p. 201.

<sup>21</sup> Parliamentary History, vol. viii. p. 389. Rushworth, vol. ii. p. 3.

liaments were intended to be summoned;<sup>22</sup> and every measure of the king's confirmed a suspicion so disagreeable to the generality of the people.

Tonnage and poundage continued to be levied by the royal authority alone. The former additional impositions were still exacted. Even new impositions were laid on several kinds of merchandise.<sup>23</sup>

The custom-house officers received orders from the council to enter into any house, warehouse, or cellar; to search any trunk or chest; and to break any bulk whatever, in default of the payment of customs.<sup>24</sup>

In order to exercise the militia and to keep them in good order, each county, by an edict of the council, was assessed in a certain sum for maintaining a muster-master appointed for that service.<sup>25</sup>

Compositions were openly made with recusants, and the popish religion became a regular part of the revenue. This was all the persecution which it underwent during the reign of Charles.<sup>26</sup>

A commission was granted for compounding with such as were possessed of crown lands upon defective titles; and, on this pretence, some money was exacted from the people.<sup>27</sup>

There was a law of Edward II.,<sup>28</sup> that whoever was possessed of twenty pounds a year in land should be obliged, when summoned, to appear and to receive the order of knighthood. Twenty pounds at that time, partly by the change of denomination, partly by that in the value of money, were equivalent to two hundred in the seventeenth century; and it seemed just that the king should not strictly insist on the letter of the law, and oblige people of so small revenue to accept of that expensive honor. Edward VI.<sup>29</sup> and Queen Elizabeth,<sup>30</sup> who had both of them made use of this expedient for raising money, had summoned only those who were possessed of forty pounds a year and upwards to receive knighthood, or compound for their neglect; and Charles imitated their example in granting the same indulgence. Commissioners were appointed for fixing the rates of composition; and instructions were given to these commissioners not to accept of a less sum than would have been due by the party upon a tax of three subsidies and a half.<sup>31</sup> Nothing

<sup>22</sup> Clarendon, vol. i. p. 4. May, p. 14.

<sup>23</sup> Rushworth, vol. ii. p. 8. May, p. 16.

<sup>24</sup> Rushworth, vol. ii. p. 9.

<sup>25</sup> Rushworth, vol. ii. pp. 11, 12, 13, 247.

<sup>26</sup> Statutum de Militibus.

<sup>27</sup> Rymer, vol. xv. pp. 493, 504. <sup>28</sup> Rushworth, vol. ii. pp. 70, 71, 72. May, p. 16.

<sup>25</sup> Rushworth, vol. ii. p. 10.

<sup>27</sup> Rushworth, vol. ii. p. 49.

<sup>29</sup> Rymer, vol. xv. p. 124.



proves more plainly how ill-disposed the people were to the measures of the crown than to observe that they loudly complained of an expedient founded on positive statute and warranted by such recent precedents. The law was pretended to be obsolete, though only one reign had intervened since the last execution of it.

Barnard, lecturer of St. Sepulchre's, London, used this expression in his prayer before sermon: "Lord, open the eyes of the queen's majesty, that she may see Jesus Christ, whom she has pierced with her infidelity, superstition, and idolatry." He was questioned in the high-commission court for this insult on the queen; but, upon his submission, dismissed.<sup>32</sup> Leighton, who had written libels against the king, the queen, the bishops, and the whole administration, was condemned by a very severe, if not a cruel, sentence; but the execution of it was suspended for some time in expectation of his submission.<sup>33</sup> All the severities, indeed, of this reign were exercised against those who triumphed in their sufferings, who courted persecution, and braved authority; and on that account their punishment may be deemed the more just, but the less prudent. To have neglected them entirely (had it been consistent with order and public safety) had been the wisest measure that could have been embraced, as perhaps it had been the most severe punishment that could have been inflicted on these zealots.

[1631.] In order to gratify the clergy with a magnificent fabric, subscriptions were set on foot for repairing and rebuilding St. Paul's, and the king, by his countenance and example, encouraged this laudable undertaking.<sup>34</sup> By order of the privy council, St. Gregory's church was removed, as an impediment to the project of extending and beautifying the cathedral. Some houses and shops, likewise, were pulled down, and compensation was made to the owners.<sup>35</sup> As there was no immediate prospect of assembling a Parliament, such acts of power in the king became necessary; and in no former age would the people have entertained any scruple with regard to them. It must be remarked that the Puritans were extremely averse to the raising of this ornament to the capital. It savored, as they pretended, of popish superstition.

A stamp duty was imposed on cards; a new tax, which

<sup>32</sup> Rushworth, vol. ii. p. 32.

<sup>33</sup> Kennet's Complete History, vol. iii. p. 60. Whitlocke, p. 15.

<sup>34</sup> Whitlocke, p. 17.

<sup>35</sup> Rushworth, vol. ii. pp. 88, 89, 90, 207, 462, 718.

of itself was liable to no objection, but appeared of dangerous consequence when considered as arbitrary and illegal.<sup>36</sup>

Monopolies were revived; an oppressive method of levying money, being unlimited as well as destructive of industry. The last Parliament of James, which abolished monopolies, had left an equitable exception in favor of new inventions, and on pretence of these, and of erecting new companies and corporations, was this grievance now renewed. The manufacture of soap was given to a company, who paid a sum for their patent.<sup>37</sup> Leather, salt, and many other commodities, even down to linen rags, were put under restrictions.

It is affirmed by Clarendon that so little benefit was reaped from these projects that of two hundred thousand pounds thereby levied on the people, scarcely one thousand five hundred came into the king's coffers. Though we ought not to suspect the noble historian of exaggerations to the disadvantage of Charles's measures, this fact, it must be owned, appears somewhat incredible. The same author adds that the king's intention was to teach his subjects how unthrifty a thing it was to refuse reasonable supplies to the crown. An imprudent project! to offend a whole nation, under the view of punishment; and to hope, by acts of violence, to break their refractory spirits, without being possessed of any force to prevent resistance.

[1632.] The Council of York had been first erected, after a rebellion, by a patent from Henry VIII. without any authority of Parliament; and this exercise of power, like many others, was indulged to that arbitrary monarch. This council had long acted chiefly as a criminal court; but, besides some innovations introduced by James, Charles thought proper, some time after Wentworth was made president, to extend its powers, and to give it a large civil jurisdiction, and that in some respects discretionary.<sup>38</sup> It is not improbable that the king's intention was only to prevent inconveniences, which arose from the bringing of every cause, from the most distant parts of the kingdom, into Westminster Hall; but the consequence, in the mean time, of this measure was the putting of all the northern counties out of the protection of ordinary law, and subjecting them to an authority somewhat arbitrary. Some irregular acts of that council were this year complained of.<sup>39</sup>

<sup>36</sup> Rushworth, vol. ii. p. 103.

<sup>37</sup> Rushworth, vol. ii. pp. 136, 142, 189, 252.

<sup>38</sup> Rushworth, vol. ii. pp. 158, 159, etc. Franklyn, p. 412.

<sup>39</sup> Rushworth, vol. ii. pp. 202, 203.

The court of Star-chamber extended its authority; and it was a matter of complaint that it encroached upon the jurisdiction of the other courts, imposing heavy fines and inflicting severe punishment beyond the usual course of justice. [1633.] Sir David Foulis was fined five thousand pounds, chiefly because he had dissuaded a friend from compounding with the commissioners of knighthood.<sup>40</sup>

Prynne, a barrister of Lincoln's Inn, had written an enormous quarto of a thousand pages, which he called "Histrio-Mastyx." Its professed purpose was to decry stage-plays, comedies, interludes, music, dancing; but the author likewise took occasion to declaim against hunting, public festivals, Christmas-keeping, bonfires, and May-poles. His zeal against all these levities, he says, was first moved by observing that plays sold better than the choicest sermons, and that they were frequently printed on finer paper than the Bible itself. Besides, that the players were often Papists, and desperately wicked; the play-houses, he affirms, are Satan's chapels, the play-haunters little better than incarnate devils, and so many steps in a dance so many paces to hell. The chief crime of Nero he represents to have been his frequenting and acting of plays; and those who nobly conspired his death were principally moved to it, as he affirms, by their indignation at that enormity. The rest of his thousand pages is of a like strain. He had obtained a license from Archbishop Abbot's chaplain, yet was he indicted in the Star-chamber as a libeller. It was thought somewhat hard that general invectives against plays should be interpreted into satires against the king and queen merely because they frequented these amusements, and because the queen sometimes acted a part in pastorals and interludes which were represented at court. The author, it must be owned, had in plainer terms blamed the hierarchy, the ceremonies, the innovations in religious worship, and the new superstitions introduced by Laud; <sup>41</sup> and this, probably, together with the obstinacy and petulance of his behavior before the Star-chamber, was the reason why his sentence was so severe. He was condemned to be put from the bar; to

<sup>40</sup> Rushworth, vol. ii. pp. 215, 216, etc.

<sup>41</sup> The music in the churches he affirmed not to be the noise of men, but a bleating of brute beasts; choristers bellow the tenor, as it were oxen; bark a counterpart, as it were a kennel of dogs; roar out a treble, as it were a sort of bulls; and grunt out a bass, as it were a number of hogs; Christmas, as it is kept, is the devil's Christmas; and Prynne employed a great number of pages to persuade men to affect the name of *Puritan*, as if Christ had been a Puritan; and so he saith in his Index.—Rushworth, vol. ii. p. 223.

stand on the pillory in two places, Westminster and Cheapside; to lose both his ears, one in each place; to pay five thousand pounds fine to the king, and to be imprisoned during life.<sup>42</sup>

This same Prynne was a great hero among the Puritans, and it was chiefly with a view of mortifying that sect that, though of an honorable profession, he was condemned by the Star-chamber to so ignominious a punishment. The thorough-paced Puritans were distinguishable by the sourness and austerity of their manners, and by their aversion to all pleasure and society.<sup>43</sup> To inspire them with better hum or was certainly, both for their own sake and that of the public, a laudable intention in the court; but whether pillories, fines, and prisons were proper expedients for that purpose may admit of some question.

Another expedient which the king tried in order to infuse cheerfulness into the national devotion was not much more successful. He renewed his father's edict for allowing sports and recreations on Sunday to such as attended public worship; and he ordered his proclamation for that purpose to be publicly read by the clergy after divine service.<sup>44</sup> Those who were puritanically affected refused obedience, and were punished by suspension or deprivation. The differences between the sects were before sufficiently great; nor was it necessary to widen them further by these inventions.

Some encouragement and protection, which the king and the bishops gave to wakes, church-ales, bride-ales, and other cheerful festivals of the common people, were the objects of like scandal to the Puritans.<sup>45</sup>

This year Charles made a journey to Scotland, attended by the court, in order to hold a Parliament there, and to pass through the ceremony of his coronation. The nobility and gentry of both kingdoms rivalled each other in expressing all duty and respect to the king, and in showing mutual friendship and regard to each other. No one could have suspected, from exterior appearances, that such dreadful scenes were approaching.

One chief article of business (for it deserves the name) which the king transacted in this Parliament was, besides obtaining some supply, to procure authority for ordering the habits of the clergymen.<sup>46</sup> The act did not pass with-

<sup>42</sup> Rushworth, vol. ii. pp. 220, 221, etc.

<sup>43</sup> Dugdale, p. 2.

<sup>44</sup> Rushworth, vol. ii. pp. 193, 459. Whitlocke, pp. 16, 17. Franklyn, p. 437.

<sup>45</sup> Rushworth, vol. ii. pp. 191, 192. May, p. 2.

<sup>46</sup> Rushworth, vol. ii. p. 183.



out opposition and difficulty. The dreadful surplice was before men's eyes; and they apprehended with some reason that, under sanction of this law, it would soon be introduced among them. Though the king believed that his prerogative entitled him to a power in general of directing whatever belonged to the exterior government of the Church, this was deemed a matter of too great importance to be ordered without the sanction of a popular statute.

Immediately after the king's return to England, he heard of Archbishop Abbot's death; and, without delay, he conferred that dignity on his favorite, Laud, who by this accession of authority was now enabled to maintain ecclesiastical discipline with greater rigor, and to aggravate the general discontent in the nation.

Laud obtained the bishopric of London for his friend Juxon; and, about a year after the death of Sir Richard Weston, created Earl of Portland, had interest enough to engage the king to make that prelate high treasurer. Juxon was a person of great integrity, mildness, and humanity, and endued with a good understanding.<sup>47</sup> Yet did this last promotion give general offence. His birth and character were deemed too obscure for a man raised to one of the highest offices of the crown; and the clergy, it was thought, were already too much elated by former instances of the king's attachment to them, and needed not this further encouragement to assume dominion over the laity.<sup>48</sup> The Puritans, likewise, were much dissatisfied with Juxon, notwithstanding his eminent virtues, because he was a lover of profane field-sports and hunting.

[1634.] Ship-money was now introduced. The first writs of this kind had been directed to seaport towns only; but ship-money was at this time levied on the whole kingdom; and each county was rated at a particular sum, which was afterwards assessed upon individuals.<sup>49</sup> The amount of the whole tax was very moderate, little exceeding two hundred thousand pounds; it was levied upon the people with equality; the money was entirely expended on the navy, to the great honor and advantage of the kingdom. As England had no military force, while all the other powers of Europe were strongly armed, a fleet seemed absolutely necessary for her security; and it was obvious that a navy

<sup>47</sup> Whitlocke, p. 23. Clarendon, vol. i. p. 99.

<sup>48</sup> Clarendon, vol. i. p. 97. May, p. 23.

<sup>49</sup> Rushworth, vol. ii. pp. 257, 258, etc.

must be built and equipped at leisure, during peace; nor could it possibly be fitted out on a sudden emergency, when the danger became urgent. Yet all these considerations could not reconcile the people to the imposition. It was entirely arbitrary; by the same right any other tax might be imposed; and men thought a powerful fleet, though very desirable both for the credit and safety of the kingdom, but an unequal recompense for their liberties, which, they apprehended, were thus sacrificed to the obtaining of it.

England, it must be owned, was, in this respect, unhappy in its present situation, that the king had entertained a very different idea of the constitution from that which *began* in general to prevail among his subjects. He did not regard national privileges as so sacred and inviolable that nothing but the most extreme necessity could justify an infringement of them. He considered himself as the supreme magistrate, to whose care Heaven, by his birthright, had committed his people, whose duty it was to provide for their security and happiness, and who was vested with ample discretionary powers for that salutary purpose. If the observance of ancient laws and customs was consistent with the present convenience of government, he thought himself obliged to comply with that rule, as the easiest, the safest, and what procured the most prompt and willing obedience. But when a change of circumstances, especially if derived from the obstinacy of the people, required a new plan of administration, national privileges, he thought, must yield to supreme power; nor could any order of the state oppose any right to the will of the sovereign directed to the good of the public.<sup>50</sup> That these principles of government were derived from the uniform tenor of the English laws, it would be rash to affirm. The fluctuating nature of the constitution, the impatient humor of the people, and the variety of events had, no doubt, in different ages produced exceptions and contradictions. These observations alone may be established on both sides, that the appearances were sufficiently strong in favor of the king to apologize for his following such maxims; and that public liberty must be so precarious under this exorbitant prerogative as to render an opposition not only excusable, but laudable, in the people.<sup>51</sup>

Some laws had been enacted during the reign of Henry VII. against depopulation, or the converting of arable lands

<sup>50</sup> Rushworth, vol. iv. pp. 535, 542.

<sup>51</sup> See note [P] at the end of the volume.

into pasture. By a decree of the Star-chamber, Sir Anthony Roper was fined four thousand pounds for an offence of that nature.<sup>52</sup> This severe sentence was intended to terrify others into composition, and above thirty thousand pounds were levied by that expedient.<sup>53</sup> Like compositions, or, in default of them, heavy fines, were required for encroachments on the king's forests, whose bounds, by decrees deemed arbitrary, were extended much beyond what was usual.<sup>54</sup> The bounds of one forest, that of Rockingham, were increased from six miles to sixty.<sup>55</sup> The same refractory humor which made the people refuse to the king voluntary supplies disposed them with better reason to murmur against these irregular methods of taxation.

Morley was fined ten thousand pounds for reviling, challenging, and striking, in the court of Whitehall, Sir George Theobald, one of the king's servants.<sup>56</sup> This fine was thought exorbitant; but whether it was compounded, as was usual in fines imposed by the Star-chamber, we are not informed.

Allison had reported that the Archbishop of York had incurred the king's displeasure by asking a limited toleration for the Catholics, and an allowance to build some churches for the exercise of their religion. For this slander against the archbishop he was condemned, in the Star-chamber, to be fined one thousand pounds, to be committed to prison, to be bound to his good behavior during life, to be whipped, and to be set on the pillory at Westminster and in three other towns in England. Robins, who had been an accomplice in the guilt, was condemned by a sentence equally severe.<sup>57</sup> Such events are rather to be considered as rare and detached incidents, collected by the severe scrutiny of historians, than as proofs of the prevailing genius of the king's administration, which seems to have been more gentle and equitable than that of most of his predecessors. There were, on the whole, only five or six such instances of rigor during the course of fifteen years which elapsed before the meeting of the Long Parliament. And it is also certain that scandal against the great, though seldom prosecuted at present, is, however, in the eye of the law, a great crime, and subjects the offender to very heavy penalties.

There are other instances of the high respect paid to the

<sup>52</sup> Rushworth, vol. ii. p. 270. Vol. iii. App. p. 106.

<sup>53</sup> Rushworth, vol. iii. p. 333. Franklyn, p. 478.

<sup>54</sup> May, p. 16.

<sup>55</sup> Strafford's Letters and Despatches, vol. ii. p. 117.

<sup>56</sup> Rushworth, vol. ii. p. 270.

<sup>57</sup> Rushworth, vol. ii. p. 269.

nobility and to the great in that age—when the powers of monarchy, though disputed, still maintained themselves in their pristine vigor. Clarendon<sup>58</sup> tells us a pleasant incident to this purpose: A waterman belonging to a man of quality, having a squabble with a citizen about his fare, showed his badge, the crest of his master, which happened to be a swan, and thence insisted on better treatment from the citizen. But the other replied carelessly that he did not trouble his head about that goose. For this offence he was summoned before the marshal's court; was fined, as having opprobriously defamed the nobleman's crest, by calling the swan a goose; and was, in effect, reduced to beggary.

Sir Richard Granville had thought himself ill-used by the Earl of Suffolk in a lawsuit, and he was accused before the Star-chamber of having said of that nobleman that he was a base lord. The evidence against him was somewhat lame; yet for this slight offence, insufficiently proved, he was condemned to pay a fine of eight thousand pounds—one half to the earl, the other to the king.<sup>59</sup>

Sir George Markham, following a chase where Lord Darcy's huntsman was exercising his hounds, kept closer to the dogs than was thought proper by the huntsman, who, besides other rudeness, gave him foul language, which Sir George returned with a stroke of his whip. The fellow threatened to complain to his master. The knight replied, if his master should justify such insolence he would serve him in the same manner, or words to that effect. Sir George was summoned before the Star-chamber, and fined ten thousand pounds. "So fine a thing was it in those days to be a lord!" a natural reflection of Lord Lansdown's in relating this incident.<sup>60</sup> The people, in vindicating their liberties from the authority of the crown, threw off also the yoke of the nobility. It is proper to remark that this last incident happened early in the reign of James. The present practice of the Star-chamber was far from being an innovation, though the present disposition of the people made them repine more at this servitude.

[1635.] Charles had imitated the example of Elizabeth and James, and had issued proclamations forbidding the landed gentlemen and the nobility to live idly in London,

<sup>58</sup> Life of Clarendon, vol. i. p. 72.

<sup>59</sup> Lord Lansdown, p. 514.

<sup>60</sup> Lord Lansdown, p. 515. This story is told differently in Hobart's Reports, p. 120. It there appears that Markham was fined only five hundred pounds, and very deservedly, for he gave the lie and wrote a challenge to Lord Darcy. James was anxious to discourage the practice of duelling, which was then prevalent.



and ordering them to retire to their country-seats.<sup>61</sup> For disobedience to this edict many were indicted by the attorney-general, and were fined in the Star-chamber.<sup>62</sup> This occasioned discontents; and the sentences were complained of as illegal. But if proclamations had authority, of which nobody pretended to doubt, must they not be put in execution? In no instance, I must confess, does it more evidently appear what confused and uncertain ideas were, during that age, entertained concerning the English constitution.

Ray, having exported fuller's-earth contrary to the king's proclamation, was, besides the pillory, condemned in the Star-chamber to a fine of two thousand pounds.<sup>63</sup> Like fines were levied on Terry, Eman, and others for disobeying a proclamation which forbade the exportation of gold.<sup>64</sup> In order to account for the subsequent convulsions, even these incidents are not to be overlooked as frivolous or contemptible. Such severities were afterwards magnified into the greatest enormities.

There remains a proclamation of this year prohibiting hackney-coaches from standing in the street.<sup>65</sup> We are told that there were not above twenty coaches of that kind in London. There are at present near eight hundred.

[1636.] The effect of ship-money began now to appear. A formidable fleet of sixty sail, the greatest that England had ever known, was equipped under the Earl of Northumberland, who had orders to attack the herring-busses of the Dutch, which fished in what were called the British seas. The Dutch were content to pay thirty thousand pounds for a license during this year. They openly denied, however, the claim of dominion in the seas beyond the friths, bays, and shores; and it may be questioned whether the laws of nations warrant any further pretensions.

This year the king sent a squadron against Sallee, and, with the assistance of the Emperor of Morocco, destroyed that receptacle of pirates, by whom the English commerce, and even the English coasts, had long been infested.

[1637.] Burton, a divine, and Bastwick, a physician, were tried in the Star-chamber for seditious and schismatical libels, and were condemned to the same punishment that had been inflicted on Prynne. Prynne himself was tried for a new offence; and, together with another fine of five

<sup>61</sup> Rushworth, vol. ii. p. 144.

<sup>63</sup> Rushworth, vol. ii. p. 348.

<sup>65</sup> Rushworth, vol. ii. p. 316.

<sup>62</sup> Rushworth, vol. ii. p. 288.

<sup>64</sup> Rushworth, vol. ii. p. 350.

thousand pounds, was condemned to lose what remained of his ears. Besides that these writers had attacked with great severity, and even an intemperate zeal, the ceremonies, rites, and government of the Church, the very answers which they gave into the court were so full of contumacy and invectives against the prelates that no lawyer could be prevailed on to sign them.<sup>66</sup> The rigors, however, which they underwent, being so unworthy men of their profession, gave general offence; and the patience, or rather alacrity, with which they suffered increased still further the indignation of the public.<sup>67</sup> The severity of the Star-chamber, which was generally ascribed to Laud's passionate disposition, was, perhaps, in itself somewhat blamable, but will naturally to us appear enormous who enjoy, in the utmost latitude, that liberty of the press which is esteemed so necessary in every monarchy confined by strict legal limitations. But as these limitations were not regularly fixed during the age of Charles, nor at any time before, so was this liberty totally unknown, and was generally deemed, as well as religious toleration, incompatible with all good government. No age or nation among the moderns had ever set an example of such an indulgence; and it seems unreasonable to judge of the measures embraced during one period by the maxims which prevail in another.

Burton, in his book where he complained of innovations, mentioned, among others, that a certain Wednesday had been appointed for a fast, and that the fast was ordered to be celebrated without any sermons.<sup>68</sup> The intention, as he pretended, of that novelty was, by the example of a fast without sermons, to suppress all the Wednesday's lectures in London. It is observable that the Church of Rome and that of England, being both of them lovers of form and ceremony and order, are more friends to prayer than preaching; while the puritanical sectaries, who find that the latter method of address, being directed to a numerous audience present and visible, is more inflaming and animating, have always regarded it as the chief part of divine service. Such circumstances, though minute, it may not be improper to transmit to posterity, that those who are curious of tracing the history of the human mind may remark how far its several singularities coincide in different ages.

<sup>66</sup> Rushworth, vol. ii. pp. 381, 382, etc. State Trials, vol. v. p. 66.

<sup>67</sup> State Trials, vol. v. p. 80.

<sup>68</sup> State Trials, vol. v. p. 74. Franklyn, p. 839.

Certain zealots had erected themselves into a society for buying in of impropriations and transferring them to the Church; and great sums of money had been bequeathed to the society for these purposes. But it was soon observed that the only use which they made of their funds was to establish lectures in all the considerable churches—men who, without being subjected to episcopal authority, employed themselves entirely in preaching and spreading the fire of Puritanism. Laud took care, by a decree which was passed in the court of exchequer, and which was much complained of, to abolish this society and stop their progress.<sup>69</sup> It was, however, still observed that throughout England the lecturers were all of them puritanically affected; and from them the clergymen, who contented themselves with reading prayers and homilies to the people, commonly received the reproachful appellation of “dumb dog.”

The Puritans, restrained in England, shipped themselves off for America, and laid there the foundations of a government which possessed all the liberty, both civil and religious, of which they found themselves bereaved in their native country. But their enemies, unwilling that they should anywhere enjoy ease and contentment, and dreading perhaps the dangerous consequences of so disaffected a colony, prevailed on the king to issue a proclamation debarring these devotees access even into those inhospitable deserts.<sup>70</sup> Eight ships, lying in the Thames, and ready to sail, were detained by order of the council; and in these were embarked Sir Arthur Hazelrig, John Hambden, John Pym, and Oliver Cromwell,<sup>71</sup> who had resolved forever to abandon their native country and fly to the other extremity of the globe, where they might enjoy lectures and discourses of any length or form which pleased them. The king had afterwards full leisure to repent this exercise of his authority.

The Bishop of Norwich, by rigorously insisting on uniformity, had banished many industrious tradesmen from that city, and chased them into Holland.<sup>72</sup> The Dutch began to be more intent on commerce than on orthodoxy; and

<sup>69</sup> Rushworth, vol. ii. pp. 150, 151. Whitlocke, p. 15. History of the Life and Sufferings of Laud, pp. 211, 212.

<sup>70</sup> Rushworth, vol. ii. pp. 409, 418.

<sup>71</sup> Mather's History of New England, bk. i. Dugdale. Bates. Hutchinson's History of Massachusetts Bay, vol. i. p. 42. This last-quoted author puts the fact beyond controversy. And it is a curious fact, as well with regard to the characters of the men as of the times. Can any one doubt that the ensuing quarrel was almost entirely theological, not political? What might be expected of the populace, when such was the character of the most enlightened leaders?

<sup>72</sup> May, p. 82.

thought that the knowledge of useful arts and obedience to the laws formed a good citizen, though attended with errors in subjects where it is not allowable for human nature to expect any positive truth or certainty.

Complaints about this time were made that the Petition of Right was in some instances violated, and that, upon a commitment by the king and council, bail or releasement had been refused to Jennings, Pargiter, and Danvers.<sup>73</sup>

Williams, Bishop of Lincoln, a man of spirit and learning, a popular prelate, and who had been lord keeper, was fined ten thousand pounds by the Star-chamber, committed to the Tower during the king's pleasure, and suspended from his office. This severe sentence was founded on frivolous pretences, and was more ascribed to Laud's vengeance than to any guilt of the bishop.<sup>74</sup> Laud, however, had owed his first promotion to the good offices of that prelate with King James. But so implacable was the haughty primate that he raised up a new prosecution against Williams on the strangest pretence imaginable. In order to levy the fine above mentioned, some officers had been sent to seize all the furniture and books of his episcopal palace of Lincoln; and, in rummaging the house, they found in a corner some neglected letters, which had been thrown by as useless. These letters had been written by one Osbaldistone, a school-master, and were directed to Williams. Mention was there made of "a little great man;" and in another passage the same person was denominated "a little urchin." By inferences and constructions, these epithets were applied to Laud; and on no better foundation was Williams tried anew, as having received scandalous letters and not discovering that private correspondence. For this offence another fine of eight thousand pounds was levied on him. Osbaldistone was likewise brought to trial and condemned to pay a fine of five thousand pounds, and to have his ears nailed to the pillory before his own school. He saved himself by flight; and left a note in his study, wherein he said "that he was gone beyond Canterbury."<sup>75</sup>

These prosecutions of Williams seem to have been the most iniquitous measure pursued by the court during the time that the use of parliaments was suspended. Williams had been indebted for all his fortune to the favor of James; but having quarrelled, first with Buckingham, then with

<sup>73</sup> Rushworth, vol. ii. p. 414.

<sup>74</sup> Rushworth, vol. ii. p. 416, etc.

<sup>75</sup> Rushworth, vol. ii. p. 803, etc. Whitlocke, p. 25.



Laud, he threw himself into the country party, and with great firmness and vigor opposed all the measures of the king. A creature of the court to become its obstinate enemy, a bishop to countenance Puritans—these circumstances excited indignation, and engaged the ministers in those severe measures. Not to mention what some writers relate, that, before the sentence was pronounced against him, Williams was offered a pardon upon his submission, which he refused to make. The court was apt to think that so refractory a spirit must by any expedient be broken and subdued.

In a former trial which Williams underwent<sup>76</sup> (for these were not the first), there was mentioned, in court, a story which, as it discovers the genius of parties, may be worth relating. Sir John Lambe, urging him to prosecute the Puritans, the prelate asked what sort of people these same Puritans were? Sir John replied “that to the world they seemed to be such as would not swear, whore, or be drunk; but they would lie, cozen, and deceive; that they would frequently hear two sermons a day, and repeat them too, and that sometimes they would fast all day long.” This character must be conceived to be satirical; yet it may be allowed that that sect was more averse to such irregularities as proceed from the excess of gayety and pleasure than to those enormities which are the most destructive of society. The former were opposite to the very genius and spirit of their religion; the latter were only a transgression of its precepts; and it was not difficult for a gloomy enthusiast to convince himself that a strict observance of the one would atone for any violation of the other.

In 1632, the treasurer, Portland, had insisted, with the vintners, that they should submit to a tax of a penny a quart upon all the wine which they retailed; but they rejected the demand. In order to punish them, a decree suddenly, without much inquiry or examination, passed in the Star-chamber prohibiting them to sell or dress victuals in their houses.<sup>77</sup> Two years after, they were questioned for the breach of this decree; and in order to avoid punishment, they agreed to lend the king six thousand pounds. Being threatened, during the subsequent years, with fines and prosecutions, they at last compounded the matter, and submitted to pay half of that duty which was at first demanded of

<sup>76</sup> Rushworth, vol. ii. p. 416.

<sup>77</sup> Rushworth, vol. ii. p. 197.

them.<sup>78</sup> It required little foresight to perceive that the king's right of issuing proclamations must, if prosecuted, draw on a power of taxation.

Lilburne was accused before the Star-chamber of publishing and dispersing seditious pamphlets. He was ordered to be examined; but refused to take the oath usual in that court, that he would answer interrogatories even though they might lead him to accuse himself. For this contempt, as it was interpreted, he was condemned to be whipped, pilloried, and imprisoned. While he was whipped at the cart, and stood on the pillory, he harangued the populace, and declaimed violently against the tyranny of bishops. From his pockets also he scattered pamphlets, said to be seditious, because they attacked the hierarchy. The Star-chamber, which was sitting at that very time, ordered him immediately to be gagged. He ceased not, however, though both gagged and pilloried, to stamp with his foot and gesticulate, in order to show the people that, if he had it in his power, he would still harangue them. This behavior gave fresh provocation to the Star-chamber; and they condemned him to be imprisoned in a dungeon, and to be loaded with irons.<sup>79</sup> It was found difficult to break the spirits of men who placed both their honor and their conscience in suffering.

The jealousy of the Church appeared in another instance less tragical. Archy, the king's fool, who by his office had the privilege of jesting on his master and the whole court, happened unluckily to try his wit upon Laud, who was too sacred a person to be played with. News having arrived from Scotland of the first commotions excited by the liturgy, Archy, seeing the primate pass by, called to him, "Who's fool now, my lord?" For this offence Archy was ordered, by sentence of the council, to have his coat pulled over his head, and to be dismissed the king's service.<sup>80</sup>

Here is another instance of that rigorous subjection in which all men were held by Laud. Some young gentlemen of Lincoln's-inn, heated by their cups, having drunk confusion to the archbishop, were, at his instigation, cited before the Star-chamber. They applied to the Earl of Dorset for protection. "Who bears witness against you?" said Dorset. "One of the drawers," they said. "Where did he stand when you were supposed to drink this health?" subjoined

<sup>78</sup> Rushworth, vol. ii. p. 451.

<sup>79</sup> Rushworth, vol. ii. pp. 465, 466, 467.

<sup>80</sup> Rushworth, vol. ii. p. 470. Welwood, p. 278.

the earl. "He was at the door," they replied, "going out of the room." "Tush!" he cried, "the drawer was mistaken; you drank confusion to the Archbishop of Canterbury's enemies; and the fellow was gone before you pronounced the last word." This hint supplied the young gentlemen with a new method of defence; and, being advised by Dorset to behave with great humility and great submission to the primate, the modesty of their carriage, the ingenuity of their apology, with the patronage of that noble lord, saved them from any severer punishment than a reproof and admonition, with which they were dismissed.<sup>81</sup>

This year John Hambden acquired, by his spirit and courage, universal popularity throughout the nation, and has merited great renown with posterity for the bold stand which he made in defence of the laws and liberties of his country. After the imposing of ship-money, Charles, in order to discourage all opposition, had proposed this question to the judges: "Whether in a case of necessity, for the defence of the kingdom, he might not impose this taxation; and whether he was not sole judge of the necessity?" These guardians of law and liberty replied, with great complaisance, "that in a case of necessity he might impose that taxation, and that he was sole judge of the necessity."<sup>82</sup> Hambden had been rated at twenty shillings for an estate which he possessed in the county of Buckingham; yet, notwithstanding this declared opinion of the judges, notwithstanding the great power and sometimes rigorous maxims of the crown, notwithstanding the small prospect of relief from Parliament, he resolved, rather than tamely submit to so illegal an imposition, to stand a legal prosecution, and expose himself to all the indignation of the court. The case was argued during twelve days in the Exchequer chamber before all the judges of England; and the nation regarded with the utmost anxiety every circumstance of this celebrated trial. The event was easily foreseen; but the principles and reasonings and behavior of the parties engaged in the trial were much canvassed and inquired into, and nothing could equal the favor paid to the one side except the hatred which attended the other.

It was urged by Hambden's counsel and by his partisans in the nation that the plea of necessity was in vain introduced into a trial of law, since it was the nature of necessity

<sup>81</sup> Rushworth, vol. iii. p. 180.

<sup>82</sup> Rushworth, vol. ii. p. 355. Whitlocke, p. 24.

to abolish all law, and, by irresistible violence, to dissolve all the weaker and more artificial ties of human society. Not only the prince in cases of extreme distress, is exempted from the ordinary rules of administration, all orders of men are then levelled; and any individual may consult the public safety by any expedient which his situation enables him to employ. But to produce so violent an effect, and so hazardous to every community, an ordinary danger or difficulty is not sufficient, much less a necessity which is merely fictitious and pretended. Where the peril is urgent and extreme, it will be palpable to every member of the society; and, though all ancient rules of government are in that case abrogated, men will readily of themselves submit to that irregular authority which is exerted for their preservation. But what is there in common between such suppositions and the present condition of the nation? England enjoys a profound peace with all her neighbors, and, what is more, all her neighbors are engaged in furious and bloody wars among themselves, and by their mutual enmities further insure her tranquillity. The very writs themselves which are issued for the levying of ship-money contradict the supposition of necessity, and pretend only that the seas are infested with pirates—a slight and temporary inconvenience which may well await a legal supply from Parliament. The writs likewise allow several months for equipping the ships, which proves a very calm and deliberate species of necessity, and one that admits of delay much beyond the forty days requisite for summoning that assembly. It is strange, too, that an extreme necessity which is always apparent and usually comes to a sudden crisis should now have continued without interruption for near four years, and should have remained during so long a time invisible to the whole kingdom. And as to the pretension that the king is sole judge of the necessity, what is this but to subject all the privileges of the nation to his arbitrary will and pleasure? To expect that the public will be convinced by such reasoning must aggravate the general indignation by adding to violence against men's persons and their property so cruel a mockery of their understanding.

In vain are precedents of ancient writs produced: these writs, when examined, are only found to require these ports, sometimes at their own charge, sometimes at the charge of the counties, to send their ships for the defence of the nation. Even the prerogative which empowered the crown to issue



such writs is abolished, and its exercise almost entirely discontinued from the time of Edward III.;<sup>83</sup> and all the authority which remained or was afterwards exercised was to press ships into the public service, to be paid for by the public. How wide are these precedents from a power of obliging the people, at their own charge, to build new ships, to victual and pay them for the public—nay, to furnish money to the crown for that purpose! What security either against the further extension of this claim or against diverting to other purposes the public money so levied? The plea of necessity would warrant any other taxation as well as that of ship-money; wherever any difficulty shall occur, the administration, instead of endeavoring to elude or overcome it by gentle and prudent measures, will instantly represent it as a reason for infringing all ancient laws and institutions; and if such maxims and such practices prevail, what has become of national liberty?—what authority is left to the great charter, to the statutes, and to that very Petition of Right which, in the present reign, had been so solemnly enacted by the concurrence of the whole legislature?

The defenceless condition of the kingdom while unprovided with a navy; the inability of the king, from his established revenues, with the utmost care and frugality, to equip and maintain one; the impossibility of obtaining, on reasonable terms, any voluntary supply from Parliament—all these are reasons of state, not topics of law. If these reasons appear to the king so urgent as to dispense with the legal rules of government, let him enforce his edicts by his court of Star-chamber, the proper instrument of irregular and absolute power; not prostitute the character of his judges by a decree which is not, and cannot possibly be, legal. By this means the boundaries, at least, will be kept more distinct between ordinary law and extraordinary exertions of prerogative; and men will know that the national constitution is only suspended during a present and difficult emergency, but has not undergone a total and fundamental alteration.

Notwithstanding these reasons, the prejudiced judges, four<sup>84</sup> excepted, gave sentence in favor of the crown. Hambden, however, obtained by the trial the end for which he had so generously sacrificed his safety and his quiet:

<sup>83</sup> State Trials, vol. v. pp. 245, 255.

<sup>84</sup> See State Trials, art. Ship-money, which contains the speeches of four judges in favor of Hambden.

the people were roused from their lethargy, and became sensible of the danger to which their liberties were exposed. These national questions were canvassed in every company; and the more they were examined, the more evidently did it appear to many that liberty was totally subverted, and an unusual and arbitrary authority exercised over the kingdom. Slavish principles, they said, concur with illegal practices; ecclesiastical tyranny gives aid to civil usurpation; iniquitous taxes are supported by arbitrary punishments; and all the privileges of the nation, transmitted through so many ages, secured by so many laws, and purchased by the blood of so many heroes and patriots, now lie prostrate at the feet of the monarch. What though public peace and national industry increased the commerce and opulence of the kingdom? This advantage was temporary, and due alone, not to any encouragement given by the crown, but to the spirit of the English, the remains of their ancient freedom. What though the personal character of the king, amid all his misguided counsels, might merit indulgence, or even praise? He was but one man; and the privileges of the people, the inheritance of millions, were too valuable to be sacrificed to his prejudices and mistakes. Such, or more severe, were the sentiments promoted by a great party in the nation. No excuse on the king's part, or alleviation, how reasonable soever, could be hearkened to or admitted; and to redress these grievances, a Parliament was impatiently longed for; or any other incident, however calamitous, that might secure the people against those oppressions which they felt, or the greater ills which they apprehended, from the combined encroachments of Church and State.

## CHAPTER LIII.

DISCONTENTS IN SCOTLAND.—INTRODUCTION OF THE CANONS AND LITURGY.—A TUMULT AT EDINBURGH.—THE COVENANT.—A GENERAL ASSEMBLY.—EPISCOPACY ABOLISHED.—WAR.—A PACIFICATION.—RENEWAL OF THE WAR.—FOURTH ENGLISH PARLIAMENT.—DISSOLUTION.—DISCONTENTS IN ENGLAND.—ROUT AT NEWBURN.—TREATY OF RIPPON.—GREAT COUNCIL OF THE PEERS.

[1637.] THE grievances under which the English labored, when considered in themselves, without regard to the constitution, scarcely deserve the name; nor were they either burdensome on the people's properties or any way shocking to the natural humanity of mankind. Even the imposition of ship-money, independent of the consequences, was a great and evident advantage to the public, by the judicious use which the king made of the money levied by that expedient. And though it was justly apprehended that such precedents, if patiently submitted to, would end in a total disuse of parliaments and in the establishment of arbitrary authority, Charles dreaded no opposition from the people, who are not commonly much affected with consequences, and require some striking motive to engage them in a resistance of established government. All ecclesiastical affairs were settled by law and uninterrupted precedents; and the Church was become a considerable barrier to the power, both legal and illegal, of the crown. Peace too, industry, commerce, opulency—nay, even justice and lenity of administration, notwithstanding some very few exceptions—all these were enjoyed by the people; and every other blessing of government, except liberty, or rather the present exercise of liberty, and its proper security.<sup>1</sup> It seemed probable, therefore, that affairs might long have continued on the same footing in England had it not been for the neighborhood of Scotland, a country more turbulent, and less disposed to submission and obedience. It was thence the commotions

<sup>1</sup> Clarendon, pp. 74, 75. May, p. 18. Warwick, p. 62.

first arose; and it is therefore time for us to return thither, and to give an account of the state of affairs in that kingdom.

Though the pacific and not unskilful government of James, and the great authority which he had acquired, had much allayed the feuds among the great families, and had established law and order throughout the kingdom, the Scottish nobility were still possessed of the chief power and influence over the people. Their property was extensive; their hereditary jurisdictions and the feudal tenures increased their authority; and the attachment of the gentry to the heads of families established a kind of voluntary servitude under the chieftains. Besides that long absence had much loosened the king's connections with the nobility, who resided chiefly at their country-seats, they were in general at this time, though from slight causes, much disgusted with the court. Charles, from the natural piety or superstition of his temper, was extremely attached to the ecclesiastics; and as it is natural for men to persuade themselves that their interest coincides with their inclination, he had established it as a fixed maxim of policy to increase the power and authority of that order. The prelates, he thought, established regularity and discipline among the clergy; the clergy inculcated obedience and loyalty among the people; and as that rank of men had no separate authority, and no dependence but on the crown, the royal power, it would seem, might, with the greater safety, be intrusted in their hands. Many of the prelates, therefore, were raised to the chief dignities of the state;<sup>2</sup> Spotswood, Archbishop of St. Andrew's, was created chancellor; nine of the bishops were privy-councillors; the Bishop of Ross aspired to the office of treasurer; some of the prelates possessed places in the exchequer; and it was even endeavored to revive the first institution of the college of justice, and to share equally between the clergy and laity the whole judicial authority.<sup>3</sup> These advantages possessed by the Church, and which the bishops did not always enjoy with suitable modesty, disgusted the haughty nobility, who, deeming themselves much superior in rank and quality to this new order of men, were displeased to find themselves inferior in power and influence. Interest joined itself to ambition, and begat a jealousy lest the episcopal sees, which at the Reformation had been pillaged by the nobles, should again be enriched at the expense

<sup>2</sup> Rushworth, vol. ii. p. 386. May, p. 29.

<sup>3</sup> Guthry's Memoirs, p. 14. Burnet's Mem. pp. 29, 30.



of that order. By a most useful and beneficial law, the impropriations had already been ravished from the great men : competent salaries had been assigned to the impoverished clergy from the tithes of each parish ; and what remained, the proprietor of the land was empowered to purchase at a low valuation.<sup>4</sup> The king likewise, warranted by ancient law and practice, had declared for a general resumption of all crown lands alienated by his predecessors ; and though he took no step towards the execution of this project, the very pretensions to such power had excited jealousy and discontent.<sup>5</sup>

Notwithstanding the tender regard which Charles bore to the whole Church, he had been able, in Scotland, to acquire only the affection of the superior rank among the clergy. The ministers in general equalled, if not exceeded, the nobility in their prejudices against the court, against the prelates, and against episcopal authority.<sup>6</sup> Though the establishment of the hierarchy might seem advantageous to the inferior clergy, both as it erected dignities to which all of them might aspire, and as it bestowed a lustre on the whole body, and allured men of family into it, these views had no influence on the Scottish ecclesiastics. In the present disposition of men's minds, there was another circumstance which drew consideration and counterbalanced power and riches, the usual foundations of distinction among men ; and that was the fervor of piety, and the rhetoric, however barbarous, of religious lectures and discourses. Checked by the prelates in the license of preaching, the clergy regarded episcopal jurisdiction both as a tyranny and a usurpation, and maintained a parity among ecclesiastics to be a divine privilege which no human law could alter or infringe. While such ideas prevailed, the most moderate exercise of authority would have given disgust, much more that extensive power which the king's indulgence encouraged the prelates to assume. The jurisdiction of presbyteries, synods, and other democratical courts was, in a manner, abolished by the bishops, and the general assembly itself had not been summoned for several years.<sup>7</sup> A new oath was arbitrarily imposed on intrants, by which they swore to observe the articles of Perth, and submit to the liturgy and canons. And, in a word, the whole system of Church government, during

<sup>4</sup> King's Declaration, p. 7. Franklyn, p. 611.

<sup>5</sup> King's Declaration, p. 6.

<sup>7</sup> May, p. 29.

<sup>6</sup> Burnet's Mem. pp. 29, 30.

a course of thirty years, had been changed by means of the innovations introduced by James and Charles.

The people, under the influence of the nobility and clergy, could not fail to partake of the discontents which prevailed among these two orders; and where real grounds of complaint were wanting, they greedily laid hold of imaginary ones. The same horror against popery with which the English Puritans were possessed was observable among the populace in Scotland; and among these, as being more uncultivated and uncivilized, seemed rather to be inflamed into a higher degree of ferocity. The genius of religion which prevailed in the court and among the prelates was of an opposite nature; and having some affinity to the Romish worship, led them to mollify, as much as possible, these severe prejudices, and to speak of the Catholics in more charitable language and with more reconciling expressions. From this foundation, a panic fear of popery was easily raised; and every new ceremony or ornament introduced into divine service was part of that great mystery of iniquity which, from the encouragement of the king and the bishops, was to overspread the nation.<sup>8</sup> The few innovations which James had made were considered as preparatives to this grand design; and the further alterations attempted by Charles were represented as a plain declaration of his intentions. Through the whole course of this reign nothing had more fatal influence, in both kingdoms, than this groundless apprehension which with so much industry was propagated and with so much credulity was embraced by all ranks of men.

Amid these dangerous complaints and terrors of religious innovation, the civil and ecclesiastical liberties of the nation were imagined, and with some reason, not to be altogether free from invasion.

The establishment of the high commission by James, without any authority of law, seemed a considerable encroachment of the crown, and erected the most dangerous and arbitrary of all courts by a method equally dangerous and arbitrary. All the steps towards the settlement of episcopacy had, indeed, been taken with consent of Parliament: the articles of Perth were confirmed in 1621; in 1633 the king had obtained a general ratification of every ecclesiastical establishment. But these laws had less authority with the nation, as they were known to have passed

<sup>8</sup> Burnet's Mem. pp. 29, 30, 31.

contrary to the sentiments even of those who voted for them, and were in reality extorted by the authority and importunity of the sovereign. The means, however, which both James and Charles had employed in order to influence the Parliament were entirely regular; and no reasonable pretence had been afforded for representing these laws as null or invalid.

But there prevailed among the greater part of the nation another principle, of the most important and most dangerous nature, and which, if admitted, destroyed entirely the validity of all such statutes. The ecclesiastical authority was supposed totally independent of the civil; and no act of Parliament, nothing but the consent of the Church itself, was represented as sufficient ground for the introduction of any change in religious worship or discipline. And though James had obtained the vote of assemblies for receiving episcopacy and his new rites, it must be confessed that such irregularities had prevailed in constituting these ecclesiastical courts, and such violence in conducting them, that there were some grounds for denying the authority of all their acts. Charles, sensible that an extorted consent, attended with such invidious circumstances, would rather be prejudicial to his measures, had wholly laid aside the use of assemblies, and was resolved, in conjunction with the bishops, to govern the Church by an authority to which he thought himself fully entitled and which he believed inherent in the crown.

The king's great aim was to complete the work so happily begun by his father—to establish discipline upon a regular system of canons, to introduce a liturgy into public worship, and to render the ecclesiastical government of all his kingdoms regular and uniform. Some views of policy might move him to this undertaking; but his chief motives were derived from principles of zeal and conscience.

The canons for establishing ecclesiastical jurisdiction were promulgated in 1635; and were received by the nation, though without much appearing opposition, yet with great inward apprehension and discontent. Men felt displeasure at seeing the royal authority highly exalted by them, and represented as absolute and uncontrollable. They saw these speculative principles reduced to practice, and a whole body of ecclesiastical laws established without any previous consent either of Church or State.<sup>9</sup> They

<sup>9</sup> Clarendon, vol. i. p. 106

dreaded lest, by a parity of reason, like arbitrary authority, from like pretences and principles, would be assumed in civil matters; they remarked that the delicate boundaries which separate Church and State were already passed, and many civil ordinances established by the canons, under color of ecclesiastical institutions; and they were apt to deride the negligence with which these important edicts had been compiled, when they found that the new liturgy or service-book was everywhere, under severe penalties, enjoined by them, though it had not yet been composed or published.<sup>10</sup> It was, however, soon expected; and in the reception of it, as the people are always most affected by what is external and exposed to the senses, it was apprehended that the chief difficulty would consist.

The liturgy which the king, from his own authority, imposed on Scotland was copied from that of England; but lest a servile imitation might shock the pride of his ancient kingdom, a few alterations, in order to save appearances, were made in it; and in that shape it was transmitted to the bishops at Edinburgh.<sup>11</sup> But the Scots had universally entertained a notion that, though riches and worldly glory had been shared out to them with a sparing hand, they could boast of spiritual treasures more abundant and more genuine than were enjoyed by any nation under heaven. Even their southern neighbors, they thought, though separated from Rome, still retained a great tincture of the primitive pollution, and their liturgy was represented as a species of mass, though with some less show and embroidery.<sup>12</sup> Great prejudices, therefore, were entertained against it, even considered in itself, much more when regarded as a preparative which was soon to introduce into Scotland all the abominations of popery. And as the very few alterations which distinguish the new liturgy from the English seemed to approach nearer to the doctrine of the real presence, this circumstance was deemed an undoubted confirmation of every suspicion with which the people were possessed.<sup>13</sup>

Easter-day was, by proclamation, appointed for the first reading of the service in Edinburgh; but in order to judge more surely of men's dispositions, the council delayed the matter till the 23d of July; and they even gave notice, the

<sup>10</sup> Clarendon, vol. i. p. 105.

<sup>11</sup> King's Decl. p. 18. May, p. 32.

<sup>12</sup> King's Decl. p. 20.

<sup>13</sup> Burnet's Mem. p. 31. Rushworth, vol. ii. p. 396. May, p. 31.



Sunday before, of their intention to commence the use of the new liturgy. As no considerable symptoms of discontent appeared, they thought that they might safely proceed in their purpose;<sup>14</sup> and accordingly, in the cathedral church of St. Giles, the Dean of Edinburgh, arrayed in his surplice, began the service, the bishop himself and many of the privy council being present. But no sooner had the dean opened the book than a multitude of the meanest sort, most of them women, clapping their hands, cursing, and crying out, "A pope! a pope! Antichrist! stone him!" raised such a tumult that it was impossible to proceed with the service. The bishop, mounting the pulpit in order to appease the populace, had a stool thrown at him; the council was insulted; and it was with difficulty that the magistrates were able, partly by authority, partly by force, to expel the rabble and to shut the doors against them. The tumult, however, still continued without; stones were thrown at the doors and windows; and when the service was ended, the bishop, going home, was attacked, and narrowly escaped from the hands of the enraged multitude. In the afternoon, the privy seal, because he carried the bishop in his coach, was so pelted with stones, and hooted at with execrations, and pressed upon by the eager populace, that if his servants, with drawn swords, had not kept them off, the bishop's life had been exposed to the utmost danger.<sup>15</sup>

Though it was violently suspected that the low populace, who alone appeared, had been instigated by some of higher condition, yet no proof of it could be produced; and every one spake with disapprobation of the licentiousness of the giddy multitude.<sup>16</sup> It was not thought safe, however, to hazard a new insult by any new attempt to read the liturgy; and the people seemed for the time to be appeased and satisfied. But it being known that the king still persevered in his intentions of imposing that mode of worship, men fortified themselves still further in their prejudices against it; and great multitudes resorted to Edinburgh, in order to oppose the introduction of so hated a novelty.<sup>17</sup> It was not long before they broke out in the most violent disorder. The Bishop of Galloway was attacked in the streets and chased into the chamber where the

<sup>14</sup> King's Decl. p. 22. Clarendon, vol. i. p. 108. Rushworth, vol. ii. p. 387.

<sup>15</sup> King's Decl. pp. 23, 24, 25. Rushworth, vol. ii. p. 388.

<sup>16</sup> King's Decl. pp. 26, 30. Clarendon, vol. i. p. 109.

<sup>17</sup> King's Decl. p. 32. Rushworth, vol. ii. p. 400.

privy council was sitting. The council itself was besieged and violently attacked; the town council met with the same fate; and nothing could have saved the lives of all of them but their application to some popular lords, who protected them and dispersed the multitude. In this sedition the actors were of some better condition than in the former, though nobody of rank seemed as yet to countenance them.<sup>18</sup>

All men, however, began to unite and to encourage each other in opposition to the religious innovations introduced into the kingdom. Petitions to the council were signed and presented by persons of the highest quality. The women took part, and, as was usual, with violence. The clergy everywhere loudly declaimed against popery and the liturgy, which they represented as the same. The pulpits resounded with vehement invectives against Antichrist; and the populace who first opposed the service was often compared to Balaam's ass, an animal in itself stupid and senseless, but whose mouth had been opened by the Lord to the admiration of the whole world.<sup>19</sup> In short, fanaticism mingling with faction, private interest with the spirit of liberty, symptoms appeared on all hands of the most dangerous insurrection and disorder.

The primate, a man of wisdom and prudence, who was all along averse to the introduction of the liturgy, represented to the king the state of the nation. The Earl of Traquair, the treasurer, set out for London in order to lay the matter more fully before him. Every circumstance, whether the condition of England or of Scotland were considered, should have engaged him to desist from so hazardous an attempt; yet was Charles inflexible. In his whole conduct of this affair there appear no marks of the good sense with which he was endowed—a lively instance of that species of character so frequently to be met with, where there are found parts and judgment in every discourse and opinion, in many actions indiscretion and imprudence. Men's views of things are the result of their understanding alone. Their conduct is regulated by their understanding, their temper, and their passions.

[1638.] To so violent a combination of a whole kingdom Charles had nothing to oppose but a proclamation, in which he pardoned all past offences, and exhorted the people to be more obedient for the future, and to submit peace-

<sup>18</sup> King's Decl. pp. 35, 36. Rushworth, vol. ii. p. 404. <sup>19</sup> King's Decl. p. 31.

ably to the use of the liturgy. This proclamation was instantly encountered with a public protestation, presented by the Earl of Hume and Lord Lindsey; and this was the first time that men of quality had appeared in any violent act of opposition.<sup>20</sup> But this proved a crisis. The insurrection, which had been advancing by a gradual and slow progress, now blazed up at once. No disorder, however, attended it. On the contrary, a new order immediately took place. Four *tables*, as they were called, were formed in Edinburgh. One consisted of nobility, another of gentry, a third of ministers, a fourth of burgesses. The table of gentry was divided into many subordinate tables, according to their different counties. In the hands of the four tables the whole authority of the kingdom was placed. Orders were issued by them, and everywhere obeyed with the utmost regularity.<sup>21</sup> And among the first acts of their government was the production of the COVENANT.

This famous covenant consisted first of a renunciation of popery, formerly signed by James in his youth, and composed of many invectives fitted to inflame the minds of men against their fellow-creatures, whom Heaven has enjoined them to cherish and to love. There followed a bond of union by which the subscribers obliged themselves to resist religious innovations, and to defend each other against all opposition whatsoever; and all this for the greater glory of God, and the greater honor and advantage of their king and country.<sup>22</sup> The people, without distinction of rank or condition, of age or sex, flocked to the subscription of this covenant. Few, in their judgment, disapproved of it; and still fewer durst openly condemn it. The king's ministers and counsellors themselves were, most of them, seized by the general contagion. And none but rebels to God and traitors to their country, it was thought, would withdraw themselves from so salutary and so pious a combination.

The treacherous, the cruel, the unrelenting Philip, accompanied with all the terrors of a Spanish Inquisition, was scarcely, during the preceding century, opposed in the Low Countries with more determined fury than was now, by the Scots, the mild, the humane Charles, attended with his inoffensive liturgy.

The king began to apprehend the consequences. He

<sup>20</sup> King's Decl. pp. 47, 48, etc. Guthry, p. 28. May, p. 37.

<sup>21</sup> Clarendon, vol. i. p. 111. Rushworth, vol. ii. p. 734.

<sup>22</sup> King's Decl. pp. 57, 58. Rushworth, vol. ii. p. 734. May, p. 38.

sent the Marquis of Hamilton as commissioner, with authority to treat with the Covenanters. He required the covenant to be renounced and recalled; and he thought that, on his part, he had made very satisfactory concessions when he offered to suspend the canons and the liturgy till, in a fair and legal way, they could be received, and so to model the high commission that it should no longer give offence to his subjects.<sup>23</sup> Such general declarations could not well give content to any, much less to those who carried so much higher their pretensions. The Covenanters found themselves seconded by the zeal of the whole nation. Above sixty thousand people were assembled in a tumultuous manner in Edinburgh and the neighborhood. Charles possessed no regular forces in either of his kingdoms. And the discontents in England, though secret, were believed so violent that the king, it was thought, would find it very difficult to employ in such a cause the power of that kingdom. The more, therefore, the popular leaders in Scotland considered their situation, the less apprehension did they entertain of royal power, and the more rigorously did they insist on entire satisfaction. In answer to Hamilton's demand of renouncing the covenant, they plainly told him that they would sooner renounce their baptism.<sup>24</sup> And the clergy invited the commissioner himself to subscribe it by informing him "with what peace and comfort it had filled the hearts of all God's people; what resolutions and beginnings of reformation of manners were sensibly perceived in all parts of the nation, above any measure they had ever before found or could have expected; how great glory the Lord had received thereby; and what confidence they had that God would make Scotland a blessed kingdom."<sup>25</sup>

Hamilton returned to London; made another fruitless journey, with new concessions, to Edinburgh; returned again to London; and was immediately sent back with still more satisfactory concessions. The king was now willing entirely to abolish the canons, the liturgy, and the high-commission court. He was even resolved to limit extremely the power of the bishops, and was content if on any terms he could retain that order in the Church of Scotland.<sup>26</sup> And, to insure all these gracious offers, he gave Hamilton authority to summon first an assembly, then a

<sup>23</sup> Rushworth, vol. ii. p. 754, etc.

<sup>25</sup> King's Decl. p. 88. Rushworth, vol. ii. p. 751.

<sup>26</sup> King's Decl. p. 137. Rushworth, vol. ii. p. 762.

<sup>24</sup> King's Decl. p. 87.



Parliament, where every national grievance might be redressed and remedied. These successive concessions of the king, which yet came still short of the rising demands of the malcontents, discovered his own weakness, encouraged their insolence, and gave no satisfaction. The offer, however, of an assembly and a Parliament, in which they expected to be entirely masters, was willingly embraced by the Covenanters.

Charles, perceiving what advantage his enemies had reaped from their covenant, resolved to have a covenant on his side; and he ordered one to be drawn up for that purpose. It consisted of the same violent renunciation of popery above mentioned—which, though the king did not approve of it, he thought it safest to adopt in order to remove all the suspicions entertained against him. As the Covenanters in their bond of mutual defence against all opposition had been careful not to except the king, Charles had formed a bond which was annexed to this renunciation, and which expressed the duty and loyalty of the subscribers to his majesty.<sup>27</sup> But the Covenanters, perceiving that this new covenant was only meant to weaken and divide them, received it with the utmost scorn and detestation. And without delay they proceeded to model the future assembly from which such great achievements were expected.<sup>28</sup>

The genius of that religion which prevailed in Scotland, and which, every day, was secretly gaining ground in England, was far from inculcating deference and submission to the ecclesiastics, merely as such; or, rather, by nourishing in every individual the highest raptures and ecstasies of devotion, it consecrated, in a manner, every individual, and, in his own eyes, bestowed a character on him much superior to what forms and ceremonious institutions could alone confer. The clergy of Scotland, though such tumult was excited about religious worship and discipline, were both poor and in small numbers; nor are they in general to be considered—at least in the beginning—as the ringleaders of the sedition which was raised on their account. On the contrary, the laity, apprehending, from several instances which occurred, a spirit of moderation in that order, resolved to domineer entirely in the assembly which was summoned, and to hurry on the ecclesiastics by the same furious zeal with which they were themselves transported.<sup>29</sup>

<sup>27</sup> King's Decl. p. 140, etc.

<sup>28</sup> Rushworth, vol. ii. p. 772.

<sup>29</sup> King's Decl. pp. 188, 189. Rushworth, vol. ii. p. 761.

It had been usual, before the establishment of prelacy, for each presbytery to send to the assembly, besides two or three ministers, one lay commissioner;<sup>30</sup> and as all the boroughs and universities sent likewise commissioners, the lay members in that ecclesiastical court nearly equalled the ecclesiastics. Not only this institution, which James, apprehensive of zeal in the laity, had abolished, was now revived by the Covenanters, they also introduced an innovation which served still further to reduce the clergy to subjection. By an edict of the tables, whose authority was supreme, an elder from each parish was ordered to attend the presbytery, and to give his vote in the choice both of the commissioners and ministers who should be deputed to the assembly. As it is not usual for the ministers who are put in the list of candidates to claim a vote, all the elections by that means fell into the hands of the laity. The most furious of all ranks were chosen; and, the more to overawe the clergy, a new device was fallen upon of choosing to every commissioner four or five lay assessors, who, though they could have no vote, might yet interpose with their advice and authority in the assembly.<sup>31</sup>

The assembly met at Glasgow; and, besides a great concourse of the people, all the nobility and gentry of any family or interest were present, either as members, assessors, or spectators; and it was apparent that the resolutions taken by the Covenanters could here meet with no manner of opposition. A firm determination had been entered into of utterly abolishing episcopacy; and, as a preparative to it, there was laid before the presbytery of Edinburgh, and solemnly read in all the churches of the kingdom, an accusation against the bishops, as guilty, all of them, of heresy, simony, bribery, perjury, cheating, incest, adultery, fornication, common swearing, drunkenness, gaming, breach of the Sabbath, and every other crime that had occurred to the accusers.<sup>32</sup> The bishops sent a protest, declining the authority of the assembly; the commissioner, too, protested against that court as illegally constituted and elected; and, in his majesty's name, dissolved it. This measure was foreseen, and little regarded. The court still continued to sit and to finish their business.<sup>33</sup> All the acts of assembly

<sup>30</sup> A presbytery in Scotland is an inferior ecclesiastical court, the same that was afterwards called a classis in England, and is composed of the clergy of the neighboring parishes, to the number, commonly, of between twelve and twenty.

<sup>31</sup> King's Decl. pp. 190, 191, 290. Guthry, p. 39, etc.

<sup>32</sup> King's Decl. p. 218. Rushworth, vol. ii. p. 787.

<sup>33</sup> May, p. 44

since the accession of James to the crown of England were, upon pretty reasonable grounds, declared null and invalid. The acts of Parliament which affected ecclesiastical affairs were supposed, on that very account, to have no manner of authority. And thus episcopacy, the high commission, the articles of Perth, the canons, and the liturgy were abolished and declared unlawful; and the whole fabric which James and Charles, in a long course of years, had been rearing with so much care and policy fell at once to the ground. The covenant likewise was ordered to be signed by every one, under pain of excommunication.<sup>34</sup>

[1639.] The independency of the ecclesiastical upon the civil power was the old presbyterian principle, which had been zealously adopted at the Reformation, and which, though James and Charles had obliged the Church publicly to disclaim it, had secretly been adhered to by all ranks of people. It was commonly asked whether Christ or the king were superior; and as the answer seemed obvious, it was inferred that the assembly, being Christ's council, was superior in all spiritual matters to the Parliament, which was only the king's. But as the Covenanters were sensible that this consequence, though it seemed to them irrefragable, would not be assented to by the king, it became necessary to maintain their religious tenets by military force, and not to trust entirely to supernatural assistance, of which, however, they held themselves well assured. They cast their eyes on all sides, abroad and at home, whenceever they could expect any aid or support.

After France and Holland had entered into a league against Spain, and framed a treaty of partition, by which they were to conquer and to divide between them the Low-Country provinces, England was invited to preserve a neutrality between the contending parties, while the French and Dutch should attack the maritime towns of Flanders. But the king replied to D'Estrades, the French ambassador, who opened the proposal, that he had a squadron ready, and would cross the seas, if necessary, with an army of fifteen thousand men, in order to prevent these projected conquests.<sup>35</sup> This answer, which proves that Charles, though he expressed his mind with an imprudent candor, had at last acquired a just idea of national interest, irritated Cardinal Richelieu; and, in revenge, that politic and enterprising minister carefully fomented the first commotions in

<sup>34</sup> King's Decl. p. 317.

<sup>35</sup> Mém. D'Estrades, vol. i.

Scotland, and secretly supplied the Covenanters with money and arms, in order to encourage them in their opposition against their sovereign.

But the chief resource of the Scottish malcontents was in themselves, and in their own vigor and abilities. No regular established commonwealth could take juster measures, or execute them with greater promptitude, than did this tumultuous combination, inflamed with bigotry for religious trifles, and faction without a reasonable object. The whole kingdom was in a manner engaged; and the men of greatest abilities soon acquired the ascendant, which their family interest enabled them to maintain. The Earl of Argyle, though he long seemed to temporize, had at last embraced the covenant; and he became the chief leader of that party: a man equally supple and inflexible, cautious, and determined, and entirely qualified to make a figure during a factious and turbulent period. The Earls of Rothes, Cassilis, Montrose, Lothian, the Lords Lindesey, Loudon, Yester, Balmerino, distinguished themselves in that party. Many Scotch officers had acquired reputation in the German wars, particularly under Gustavus; and these were invited over to assist their country in her present necessity. The command was entrusted to Lesley, a soldier of experience and abilities. Forces were regularly enlisted and disciplined. Arms were commissioned and imported from foreign countries. A few castles which belonged to the king, being unprovided with victuals, ammunition, and garrisons, were soon seized. And the whole country, except a small part, where the Marquis of Huntley still adhered to the king, being in the hands of the Covenanters, was in a very little time put in a tolerable posture of defence.<sup>36</sup>

The fortifications of Leith were begun and carried on with great rapidity. Besides the inferior sort and those who labored for pay, incredible numbers of volunteers, even noblemen and gentlemen, put their hands to the work, and deemed the most abject employment to be dignified by the sanctity of the cause. Women, too, of rank and condition, forgetting the delicacy of their sex and the decorum of their character, were intermingled with the lowest rabble, and carried on their shoulders the rubbish requisite for completing the fortifications.<sup>37</sup>

We must not omit another auxiliary of the Covenanters,

<sup>36</sup> May, p. 49.

<sup>37</sup> Guthry's Memoirs, p. 46.



and no inconsiderable one—a prophetess, who was much followed and admired by all ranks of people. Her name was Michelson : a woman full of whimsies, partly hysterical, partly religious, and inflamed with a zealous concern for the ecclesiastical discipline of the Presbyterians. She spoke at certain times only, and had often interruptions of days and weeks ; but when she began to renew her ecstasies, warning of the happy event was conveyed over the whole country, thousands crowded about her house, and every word which she uttered was received with veneration, as the most sacred oracles. The covenant was her perpetual theme. The true, genuine covenant, she said, was ratified in heaven ; the king's covenant was an invention of Satan. When she spoke of Christ, she usually gave him the name of the Covenanting Jesus. Rollo, a popular preacher and zealous Covenanter, was her great favorite, and paid her, on his part, no less veneration. Being desired by the spectators to pray with her and speak to her, he answered “that he durst not, and that it would be ill manners in him to speak while his master Christ was speaking in her.”<sup>38</sup>

Charles had agreed to reduce episcopal authority so much that it would no longer have been of any service to support the crown ; and this sacrifice of his own interests he was willing to make in order to attain public peace and tranquillity. But he could not consent entirely to abolish an order which he thought as essential to the being of a Christian Church as his Scottish subjects deemed it incompatible with that sacred institution. This narrowness of mind, if we would be impartial, we must either blame or excuse equally on both sides, and thereby anticipate, by a little reflection, that judgment which time, by introducing new subjects of controversy, will undoubtedly render quite familiar to posterity.

So great was Charles's aversion to violent and sanguinary measures, and so strong his affection to his native kingdom, that it is probable the contest in his breast would be nearly equal between these laudable passions and his attachment to the hierarchy. The latter affection, however, prevailed for the time, and made him hasten those military preparations which he had projected for subduing the refractory spirit of the Scottish nation. By regular economy, he had not only paid all the debts contracted during the Spanish and French wars, but had amassed a sum of two

<sup>38</sup> King's Declaration at large, p. 227. Burnet's Memoirs of Hamilton.

hundred thousand pounds, which he reserved for any sudden exigency. The queen had great interest with the Catholics, both from the sympathy of religion and from the favors and indulgences which she had been able to procure to them. She now employed her credit, and persuaded them that it was reasonable to give large contributions, as a mark of their duty to the king, during this urgent necessity.<sup>39</sup> A considerable supply was obtained by this means, to the great scandal of the Puritans, who were offended at seeing the king on such good terms with the Papists, and repined that others should give what they themselves were disposed to refuse him.

Charles's fleet was formidable and well supplied. Having put 5000 land forces on board, he intrusted it to the Marquis of Hamilton, who had orders to sail to the Frith of Forth, and to cause a diversion in the forces of the malcontents. An army was levied of near 20,000 foot and above 3000 horse, and was put under the command of the Earl of Arundel, a nobleman of great family, but celebrated neither for military nor political abilities. The Earl of Essex, a man of strict honor, and extremely popular, especially among the soldiery, was appointed lieutenant-general; the Earl of Holland was general of the horse. The king himself joined the army, and he summoned all the peers of England to attend him. The whole had the appearance of a splendid court rather than of a military armament; and in this situation, carrying more show than real force with it, the camp arrived at Berwick.<sup>40</sup>

The Scottish army was as numerous as that of the king, but inferior in cavalry. The officers had more reputation and experience; and the soldiers, though undisciplined and ill-armed, were animated as well by the national aversion to England, and the dread of becoming a province to their old enemy, as by an unsurmountable fervor of religion. The pulpits had extremely assisted the officers in levying recruits, and had thundered out anathemas against all those "who went not out to assist the Lord against the mighty."<sup>41</sup> Yet so prudent were the leaders of the malcontents that they immediately sent submissive messages to the king, and craved to be admitted to a treaty.

Charles knew that the force of the Covenanters was con-

<sup>39</sup> Rushworth, vol. iii. p. 1329. Franklyn, p. 767.

<sup>40</sup> Clarendon, vol. i. pp. 115, 116, 117.

<sup>41</sup> Burnet's *Memoirs of Hamilton*.

siderable, their spirits high, their zeal furious ; and that, as they were not yet daunted by any ill-success, no reasonable terms could be expected from them. With regard, therefore, to a treaty, great difficulties occurred on both sides. Should he submit to the pretensions of the malcontents, besides that the prelacy must be sacrificed to their religious prejudices, such a check would be given to royal authority (which had, very lately, and with much difficulty, been thoroughly established in Scotland) that he must expect ever after to retain in that kingdom no more than the appearance of majesty. The great men, having proved by so sensible a trial the impotence of law and prerogative, would return to their former licentiousness ; the preachers would retain their innate arrogance ; and the people, unprotected by justice, would recognize no other authority than that which they found to domineer over them. England also, it was much to be feared, would imitate so bad an example ; and having already a strong propensity towards republican and puritanical factions, would expect, by the same seditious practices, to attain the same indulgence. To advance so far without bringing the rebels to a total submission, at least to reasonable concessions, was to promise them, in all future time, an impunity for rebellion.

On the other hand, Charles considered that Scotland was never before, under any of his ancestors, so united and so animated in its own defence ; yet had often been able to foil or elude the force of England, combined heartily in one cause, and inured by long practice to the use of arms. How much greater difficulty should he find at present to subdue, by violence, a people inflamed with religious prejudices, while he could only oppose to them a nation enervated by long peace and lukewarm in his service ; or, what was more to be dreaded, many of them engaged in the same party with the rebels ?<sup>42</sup> Should the war be only protracted beyond a campaign (and who could expect to finish it in that period?), his treasures would fail him ; and for supply he must have recourse to an English parliament, which by fatal experience he had ever found more ready to encroach on the prerogatives than to supply the necessities of the crown. And what if he receive a defeat from the rebel army ? This misfortune was far from being impossible. They were engaged in a national cause, and strongly actuated by mistaken principles. His army was retained

<sup>42</sup> Rushworth, vol. iii. p. 936.

entirely by pay, and looked on the quarrel with the same indifference which naturally belongs to mercenary troops, without possessing the discipline by which such troops are commonly distinguished. And the consequences of a defeat, while Scotland was enraged and England discontented, were so dreadful that no motive should persuade him to hazard it.

It is evident that Charles had fallen into such a situation that, whichever side he embraced, his errors must be dangerous. No wonder, therefore, he was in great perplexity. But he did worse than embrace the worst side; for, properly speaking, he embraced no side at all. He concluded a sudden pacification, in which it was stipulated that he should withdraw his fleet and army; that within eight-and-forty hours the Scots should dismiss their forces; that the king's forts should be restored to him, his authority be acknowledged, and a general assembly and a Parliament be immediately summoned, in order to compose all differences.<sup>43</sup> What were the *reasons* which engaged the king to admit such strange articles of peace it is in vain to inquire, for there scarcely could be any. The *causes* of that event may admit of a more easy explication.

The malcontents had been very industrious in representing to the English the grievances under which Scotland labored, and the ill councils which had been suggested to the sovereign. Their liberties, they said, were invaded; the prerogatives of the crown extended beyond all former precedent; illegal courts erected; the hierarchy exalted at the expense of national privileges; and so many new superstitions introduced by the haughty, tyrannical prelates as begat a just suspicion that a project was seriously formed for the restoration of popery. The king's conduct, surely, in Scotland had been in everything, except in establishing the ecclesiastical canons, more legal than in England; yet was there such a general resemblance in the complaints of both kingdoms that the English readily assented to all the representations of Scottish malcontents, and believed that nation to have been driven by oppression into the violent counsels which they had embraced. So far, therefore, from being willing to second the king in subduing the free spirits of the Scots, they rather pitied that unhappy people, who had been pushed to those extremities; and they thought that the example of such neighbors, as well as their assist-

<sup>43</sup> Rushworth, vol. iii. p. 945.



ance, might some time be advantageous to England, and encourage her to recover, by a vigorous effort, her violated laws and liberties. The gentry and nobility who, without attachment to the court, without command in the army, attended in great numbers the English camp, greedily seized and propagated, and gave authority to these sentiments. A retreat, very little honorable, which the Earl of Holland, with a considerable detachment of the English forces, had made before a detachment of the Scottish, caused all these humors to blaze up at once; and the king, whose character was not sufficiently vigorous or decisive, and who was apt, from facility, to embrace hasty counsels, suddenly assented to a measure which was recommended by all about him, and which favored his natural propension towards the misguided subjects of his native kingdom.<sup>44</sup>

Charles, having so far advanced in pacific measures, ought with a steady resolution to have prosecuted them, and have submitted to every tolerable condition demanded by the assembly and Parliament; nor should he have recommenced hostilities but on account of such enormous and unexpected pretensions as would have justified his cause, if possible, to the whole English nation. So far, indeed, he adopted this plan, that he agreed not only to confirm his former concessions of abrogating the canons, the liturgy, the high commission, and the articles of Perth, but also to abolish the order itself of bishops, for which he had so zealously contended.<sup>45</sup> But this concession was gained by the utmost violence which he could impose on his disposition and prejudices. He even secretly retained an intention of seizing favorable opportunities in order to recover the ground which he had lost; <sup>46</sup> and one step further he could not prevail with himself to advance. The assembly, when it met, paid no deference to the king's prepossessions, but gave full indulgence to their own. They voted episcopacy to be unlawful in the Church of Scotland; he was willing to allow it contrary to the constitutions of that Church. They stigmatized the liturgy and canons as popish; he agreed simply to abolish them. They denominated the high commission tyranny; he was content to set it aside.<sup>47</sup> The Parliament, which sat after the assembly, advanced pretensions which tended to diminish the civil power of the monarch; and,

<sup>44</sup> Clarendon, vol. i. pp. 122, 123. May, p. 46.

<sup>45</sup> Rushworth, vol. iii. p. 946.

<sup>46</sup> Burnet's Memoirs, p. 154. Rushworth, vol. iii. p. 951.

<sup>47</sup> Rushworth, vol. iii. p. 958, etc.

what probably affected Charles still more, they were proceeding to ratify the acts of assembly when, by the king's instructions,<sup>48</sup> Traquaire, the commissioner, prorogued them; and on account of these claims, which might have been foreseen, was the war renewed with great advantage on the side of the Covenanters and disadvantages on that of the king.

No sooner had Charles concluded the pacification without conditions than the necessity of his affairs and his want of money obliged him to disband his army; and as the soldiers had been held together solely by mercenary views, it was not possible, without great trouble and expense and loss of time, again to assemble them. The more prudent Covenanters had concluded that their pretensions, being so contrary to the interests, and still more to the inclinations, of the king, it was likely that they should again be obliged to support their cause by arms; and they were therefore careful, in dismissing their troops, to preserve nothing but the appearance of a pacific disposition. The officers had orders to be ready on the first summons; the soldiers were warned not to think the nation secure from an English invasion; and the religious zeal which animated all ranks of men made them immediately fly to their standards as soon as the trumpet was sounded by their spiritual and temporal leaders. The credit which in their last expedition they had acquired, by obliging their sovereign to depart from all his pretensions, gave courage to every one in undertaking this new enterprise.<sup>49</sup>

[1640.] The king, with great difficulty, found means to draw together an army; but soon discovered that, all savings being gone and great debts contracted, his revenue would be insufficient to support them. An English parliament, therefore, formerly so unkind and intractable, must now, after above eleven years' intermission, after the king had tried many irregular methods of taxation, after multiplied disgusts given to the puritanical party, be summoned to assemble amid the most pressing necessities of the crown.

As the king resolved to try whether this House of Commons would be more compliant than their predecessors, and grant him supply on any reasonable terms, the time appointed for the meeting of Parliament was late, and very

<sup>48</sup> Rushworth, vol. iii. p. 955.

<sup>49</sup> Clarendon, vol. i. p. 125. Rushworth, vol. iii. p. 1023.

near the time allotted for opening the campaign against the Scots. After the past experience of their ill-humor and of their encroaching disposition, he thought that he could not in prudence trust them with a long session till he had seen some better proofs of their good intentions. The urgency of the occasion, and the little time allowed for debate, were reasons which he reserved against the malcontents in the House; and an incident had happened which, he believed, had now furnished him with still more cogent arguments.

The Earl of Traquaire had intercepted a letter written to the King of France by the Scottish malcontents, and had conveyed this letter to the king. Charles, partly repenting of the large concessions made to the Scots, partly disgusted at their fresh insolence and pretensions, seized this opportunity of breaking with them. He had thrown into the Tower Lord Loudon, commissioner from the Covenanters, one of the persons who had signed the treasonable letter;<sup>59</sup> and he now laid the matter before the Parliament, whom he hoped to inflame by the resentment and alarm by the danger of this application to a foreign power. By the mouth of the lord keeper, Finch, he discovered his wants, and informed them that he had been able to assemble his army, and to subsist them, not by any revenue which he possessed, but by means of a large debt of above three hundred thousand pounds which he had contracted, and for which he had given security upon the crown lands. He represented that it was necessary to grant supplies for the immediate and urgent demands of his military armaments; that the season was far advanced, the time precious, and none of it must be lost in deliberation; that though his coffers were empty, they had not been exhausted by unnecessary pomp, or sumptuous buildings, or any other kind of magnificence; that whatever supplies had been levied on his subjects had been employed for their advantage and preservation, and, like vapors rising out of the earth and gathered into a cloud, had fallen in sweet and refreshing showers on the same fields from which they had at first been exhaled; that though he desired such immediate assistance as might prevent for the time a total disorder of the government, he was far from any intention of precluding them from their right to inquire into the state of the kingdom, and to offer him petitions for the redress of their grievances; that as much

<sup>59</sup> Clarendon, vol. i. p. 129. Rushworth, vol. iii. p. 956. May, p. 56.

as was possible of this season should afterwards be allowed them for that purpose; that as he expected only such supply at present as the current service necessarily required, it would be requisite to assemble them again next winter, when they should have full leisure to conclude whatever business had this session been left imperfect and unfinished; that the Parliament of Ireland had twice put such trust in his good intentions as to grant him, in the beginning of the session, a large supply, and had ever experienced good effects from the confidence reposed in him; and that, in every circumstance, his people should find his conduct suitable to a just, pious, and gracious king, and such as was calculated to promote an entire harmony between prince and Parliament.<sup>51</sup>

However plausible these topics, they made small impression on the House of Commons. By some illegal, and several suspicious measures of the crown, and by the courageous opposition which particular persons, amid dangers and hardships, had made to them, the minds of men throughout the nation had taken such a turn as to ascribe every honor to the refractory opposers of the king and the ministers. These were the only patriots, the only lovers of their country, the only heroes, and, perhaps, too, the only true Christians. A reasonable compliance with the court was slavish dependence; a regard to the king, servile flattery; a confidence in his promises, shameful prostitution. This general cast of thought, which has, more or less, prevailed in England during near a century and a half, and which has been the cause of much good and much ill in public affairs, never predominated more than during the reign of Charles. The present House of Commons, being entirely composed of country gentlemen, who came into Parliament with all their native prejudices about them, and whom the crown had no means of influencing, could not fail to contain a majority of these stubborn patriots.

Affairs likewise, by means of the Scottish insurrection and the general discontents in England, were drawn so near to a crisis that the leaders of the House, sagacious and penetrating, began to foresee the consequences, and to hope that the time, so long wished for, was now come, when royal authority must fall into a total subordination under popular assemblies, and when public liberty must acquire a full ascendant. By reducing the crown to necessities, they

<sup>51</sup> Rushworth, vol. iii. p. 1114.



had hitherto found that the king had been pushed into violent counsels, which had served extremely the purposes of his adversaries; and by multiplying these necessities, it was foreseen that his prerogative, undermined on all sides, must at last be overthrown, and be no longer dangerous to the privileges of the people. Whatever, therefore, tended to compose the differences between king and Parliament, and to preserve the government uniformly in its present channel, was zealously opposed by these popular leaders; and their past conduct and sufferings gave them credit sufficient to effect all their purposes.

The House of Commons, moved by these and many other obvious reasons, instead of taking notice of the king's complaints against his Scottish subjects, or his applications for supply, entered immediately upon grievances; and a speech which Pym made them on that subject was much more hearkened to than that which the lord keeper had delivered to them in the name of their sovereign. The subject of Pym's harangue has been sufficiently explained above, where we gave an account of all the grievances, imaginary in the Church, more real in the State, of which the nation at that time so loudly complained.<sup>52</sup> The House began with examining the behavior of the speaker the last day of the former Parliament, when he refused, on account of the king's command, to put the question; and they declared it a breach of privilege. They proceeded next to inquire into the imprisonment and prosecution of Sir John Elliot, Hollis, and Valentine;<sup>53</sup> the affair of ship-money was canvassed, and plentiful subject of inquiry was suggested on all hands. Grievances were regularly classed under three heads—those with regard to privileges of Parliament, to the property of the subject, and to religion.<sup>54</sup> The king, seeing a large and inexhaustible field opened, pressed them again for supply; and, finding his message ineffectual, he came to the House of Peers, and desired their good offices with the Commons. The Peers were sensible of the king's urgent necessities; and thought that supply, on this occasion, ought, both in reason and in decency, to go before grievances. They ventured to represent their sense of the matter to the Commons; but their intercession did harm. The Commons had always claimed, as their peculiar province, the granting of supplies; and though the Peers had here gone no further than offer-

<sup>52</sup> Clarendon, vol. i. p. 133. Rushworth, vol. iii. p. 1131. May, p. 60.

<sup>53</sup> Rushworth, vol. iii. p. 1136.

<sup>54</sup> Rushworth, vol. iii. p. 1147.

ing advice, the lower House immediately thought proper to vote so unprecedented an interposition to be a breach of privilege.<sup>55</sup> Charles, in order to bring the matter of supply to some issue, solicited the House by new messages; and, finding that ship-money gave great alarm and disgust, besides informing them that he never intended to make a constant revenue of it, that all the money levied had been regularly, with other great sums, expended on equipping the navy, he now went so far as to offer them a total abolition of that obnoxious claim by any law which the Commons should think proper to present to him. In return, he only asked, for his necessities, a supply of twelve subsidies (about six hundred thousand pounds), and that payable in three years; but at the same time he let them know that, considering the situation of his affairs, a delay would be equivalent to a denial.<sup>56</sup> The king, though the majority was against him, never had more friends in any House of Commons; and the debate was carried on for two days with great zeal and warmth on both sides.

It was urged by the partisans of the court that the happiest occasion, which the fondest wishes could suggest, was now presented for removing all disgusts and jealousies between king and people, and for reconciling their sovereign forever to the use of parliaments. That if they, on their part, laid aside all enormous claims and pretensions, and provided, in a reasonable manner, for the public necessities, they needed entertain no suspicion of any insatiable ambition or illegal usurpation in the crown. That though due regard had not always been paid, during this reign, to the rights of the people, yet no invasion of them had been altogether deliberate and voluntary, much less the result of wanton tyranny and injustice, and still less of a formed design to subvert the constitution. That to repose a reasonable confidence in the king, and generously to supply his present wants, which proceeded neither from prodigality nor misconduct, would be the true means of gaining on his generous nature, and extorting, by gentle violence, such concessions as were requisite for the establishment of public liberty. That he had promised, not only on the word of a prince, but also on that of a gentleman (the expression which he had been pleased to use), that, after the supply was granted, the Parliament should still have liberty to continue

<sup>55</sup> Clarendon, vol. i. p. 134.

<sup>56</sup> Clarendon, vol. i. p. 135. Rushworth, vol. iii. p. 1154.

their deliberations. Could it be suspected that any man, any prince, much less such a one, whose word was, as yet, sacred and inviolate, would for so small a motive forfeit his honor, and with it all future trust and confidence, by breaking a promise so public and so solemn? That even if the Parliament should be deceived in reposing this confidence in him, they neither lost anything nor incurred any danger, since it was evidently necessary, for the security of public peace, to supply him with money in order to suppress the Scottish rebellion. That he had so far suited his first demands to their prejudices that he only asked a supply for a few months, and was willing, after so short a trust from them, to fall again into dependence, and to trust them for his further support and subsistence. That if he now seemed to desire something further, he also made them, in return, a considerable offer, and was willing, for the future, to depend on them for a revenue, which was quite necessary for public honor and security. That the nature of the English constitution supposed a mutual confidence between king and Parliament; and if they should refuse it on their part, especially with circumstances of such outrage and indignity, what could be expected but a total dissolution of government, and violent factions, followed by the most dangerous convulsions and intestine disorders?

In opposition to these arguments, it was urged by the malcontent party that the court had discovered, on their part, but few symptoms of that mutual confidence to which they now so kindly invited the Commons. That eleven years' intermission of parliaments, the longest that was to be found in the English annals, was a sufficient indication of the jealousy entertained against the people; or, rather, of designs formed for the suppression of all their liberties and privileges. That the ministers might well plead necessity; nor could anything, indeed, be a stronger proof of some invincible necessity than their embracing a measure for which they had conceived so violent an aversion as the assembling of an English parliament. That this necessity, however, was purely ministerial, not national; and if the same grievances, ecclesiastical and civil, under which this nation itself labored, had pushed the Scots to extremities, was it requisite that the English should forge their own chains by imposing chains on their unhappy neighbors? That the ancient practice of Parliament was to give grievances the precedence of supply; and this order, so carefully observed by

their ancestors, was founded on a jealousy inherent in the constitution, and was never interpreted as any peculiar diffidence of the present sovereign. That a practice which had been upheld during times the most favorable to liberty could not, in common prudence, be departed from where such undeniable reasons for suspicion had been afforded. That it was ridiculous to plead the advanced season, and the urgent occasion for supply, when it plainly appeared that, in order to afford a pretence for this topic, and to seduce the Commons, great political contrivance had been employed. That the writs for elections were issued early in the winter; and if the meeting of Parliament had not purposely been delayed till so near the commencement of military operations, there had been leisure sufficient to have redressed all national grievances, and to have proceeded afterwards to an examination of the king's occasion for supply. That the intention of so gross an artifice was to engage the Commons, under pretence of necessity, to violate the regular order of Parliament; and a precedent of that kind being once established, no inquiry into public measures would afterwards be permitted. That scarcely any argument more unfavorable could be pleaded for supply than an offer to abolish ship-money—a taxation the most illegal and the most dangerous that had ever, in any reign, been imposed upon the nation. And that by bargaining for the remission of that duty the Commons would, in a manner, ratify the authority by which it had been levied; at least, give encouragement for advancing new pretensions of a like nature, in hopes of resigning them on like advantageous conditions.

The reasons, joined to so many occasions of ill-humor, seemed to sway with the greater number; but, to make the matter worse, Sir Harry Vane, the secretary, told the Commons, without any authority from the king, that nothing less than twelve subsidies would be accepted as a compensation for the abolition of ship-money. This assertion, proceeding from the indiscretion, if we are not rather to call it the treachery, of Vane, displeased the House by showing a stiffness and rigidity in the king which, in a claim so ill-grounded, was deemed inexcusable.<sup>57</sup> We are informed, likewise, that some men, who were thought to understand the state of the nation, affirmed in the House that the amount of twelve subsidies was a greater sum than could

<sup>57</sup> Clarendon, vol. i. p. 138.



be found in all England. Such were the happy ignorance and inexperience of those times with regard to taxes!<sup>58</sup>

The king was in great doubt and perplexity. He saw that his friends in the House were outnumbered by his enemies, and that the same counsels were still prevalent which had ever bred such opposition and disturbance. Instead of hoping that any supply would be granted him to carry on war against the Scots, whom the majority of the House regarded as their best friends and firmest allies, he expected every day that they would present him an address for making peace with those rebels. And if the House met again, a vote, he was informed, would certainly pass to blast his revenue of ship-money, and thereby renew all the opposition which, with so much difficulty, he had surmounted in levying that taxation. Where great evils lie on all sides, it is difficult to follow the best counsel; nor is it any wonder that the king, whose capacity was not equal to situations of such extreme delicacy, should hastily have formed and executed the resolution of dissolving this Parliament—a measure, however, of which he soon after repented, and which the subsequent events, more than any convincing reason, inclined every one to condemn. The last Parliament, which ended with such rigor and violence, had yet, at first, covered their intentions with greater appearance of moderation than this Parliament had hitherto assumed.

An abrupt and violent dissolution naturally excites discontents among the people, who usually put entire confidence in their representatives, and expect from them the redress of all grievances. As if there were not already sufficient grounds of complaint, the king persevered still in those counsels which, from experience, he might have been sensible were so dangerous and unpopular. Bellasis and Sir John Hotham were summoned before the council; and, refusing to give any account of their conduct to Parliament, were committed to prison. All the petitions and complaints which had been sent to the committee of religion were demanded from Crew, chairman of that committee; and, on his refusal to deliver them, he was sent to the Tower. The studies, and even the pockets, of the Earl of Warwick and Lord Broke, before the expiration of privilege, were searched in expectation of finding treasonable papers. These acts of authority were interpreted, with some appearance of reason, to be invasions on the right of national assemblies.<sup>59</sup> But

<sup>58</sup> Clarendon, vol. i. p. 136.

<sup>59</sup> Rushworth, vol. iii. p. 1167. May, p. 61.

the king, after the first provocation which he met with, never sufficiently respected the privileges of Parliament; and by his example he further confirmed their resolution, when they should acquire power, to pay like disregard to the prerogatives of the crown.

Though the Parliament was dissolved, the convocation was still allowed to sit—a practice of which, since the Reformation, there were but few instances,<sup>60</sup> and which was for that reason supposed by many to be irregular. Besides granting to the king a supply from the spirituality, and framing many canons, the convocation, jealous of like innovations with those which had taken place in Scotland, imposed an oath on the clergy and the graduates in the universities by which every one swore to maintain the established government of the Church by archbishops, bishops, deans, chapters, etc.<sup>61</sup> These steps, in the present discontented humor of the nation, were commonly deemed illegal, because not ratified by consent of Parliament, in whom all authority was now supposed to be centred; and nothing, besides, could afford more subject of ridicule than an oath which contained an *et cætera* in the midst of it.

The people, who generally abhorred the convocation as much as they revered the Parliament, could scarcely be restrained from insulting and abusing this assembly; and the king was obliged to give them guards in order to protect them.<sup>62</sup> An attack, too, was made during the night upon Laud, in his palace of Lambeth, by above five hundred persons, and he found it necessary to fortify himself for his defence.<sup>63</sup> A multitude, consisting of two thousand sectaries, entered St. Paul's, where the high commission then sat, tore down the benches, and cried out, "No bishop, no high commission!"<sup>64</sup> All these instances of discontent were presages of some great revolution, had the court possessed sufficient skill to discern the danger or sufficient power to provide against it.

In this disposition of men's minds, it was in vain that the king issued a declaration, in order to convince his people of the necessity which he lay under of dissolving the last Parliament.<sup>65</sup> The chief topic on which he insisted was

<sup>60</sup> There was one in 1586. See History of Archbishop Laud, p. 80. The authority of the convocation was, indeed, in most respects, independent of the Parliament, and there was no reason which required the one to be dissolved upon the dissolution of the other.

<sup>61</sup> Whitlocke, p. 33.

<sup>63</sup> Dugdale, p. 62. Clarendon, vol. i. p. 143.

<sup>65</sup> Rushworth, vol. iii. p. 1166.

<sup>62</sup> Ibid.

<sup>64</sup> Dugdale, p. 65.

that the Commons imitated the bad example of all their predecessors of late years, in making continual encroachments on his authority, in censuring his whole administration and conduct, in discussing every circumstance of public government, and in their indirect bargaining and contracting with their king for supply—as if nothing ought to be given him but what he should purchase, either by quitting somewhat of his royal prerogative or by diminishing and lessening his standing revenue. These practices, he said, were contrary to the maxims of their ancestors; and these practices were totally incompatible with monarchy.<sup>66</sup>

The king, disappointed of parliamentary subsidies, was obliged to have recourse to other expedients in order to supply his urgent necessities. The ecclesiastical subsidies served him in some stead; and it seemed but just that the clergy should contribute to a war which was, in a great measure, of their own raising.<sup>67</sup> He borrowed money from his ministers and courtiers; and so much was he beloved among them that above three hundred thousand pounds were subscribed in a few days; though nothing, surely, could be more disagreeable to a prince full of dignity than to be a burden on his friends, instead of being a support to them. Some attempts were made towards forcing a loan from the citizens, but still repelled by the spirit of liberty which was now become unconquerable.<sup>68</sup> A loan of forty thousand pounds was extorted from the Spanish merchants, who had bullion in the Tower exposed to the attempts of the king. Coat and conduct money for the soldiery was levied on the counties, an ancient practice,<sup>69</sup> but supposed to be abolished by the Petition of Right. All the pepper was bought from the East India Company upon trust, and sold, at a great discount, for ready money.<sup>70</sup> A scheme was proposed for coining two or three hundred thousand pounds of base money.<sup>71</sup> Such were the extremities to which Charles was reduced. The fresh difficulties which, amid the present distresses, were every day raised with regard to the payment of ship-money, obliged him to exert continual acts of authority, augmented the discontents of the people, and increased his indigence and necessities.<sup>72</sup>

The present expedients, however, enabled the king, though with great difficulty, to march his army, consisting

<sup>66</sup> See note [Q] at the end of the volume. <sup>67</sup> May, p. 48.

<sup>68</sup> Rushworth, vol. iii. p. 1181.

<sup>69</sup> Rushworth, vol. i. p. 168.

<sup>70</sup> May, p. 63.

<sup>71</sup> Rushworth, vol. iii. p. 1216. May, p. 63.

<sup>72</sup> Rushworth, vol. iii. pp. 1173, 1182, 1184, 1199, 1200, 1203, 1204.

of nineteen thousand foot and two thousand horse. The Earl of Northumberland was appointed general; the Earl of Strafford, who was called over from Ireland, lieutenant-general; Lord Conway, general of the horse. A small fleet was thought sufficient to serve the purposes of this expedition.

So great are the effects of zeal and unanimity that the Scottish army, though somewhat superior, were sooner ready than the king's, and they marched to the borders of England. To engage them to proceed, besides their general knowledge of the secret discontents of that kingdom, Lord Saville had forged a letter in the name of six noblemen, the most considerable of England, by which the Scots were invited to assist their neighbors in procuring a redress of grievances.<sup>74</sup> Notwithstanding these warlike preparations and hostile attempts, the Covenanters still preserved the most pathetic and most submissive language, and entered England, they said, with no other view than to obtain access to the king's presence, and lay their humble petition at his royal feet. At Newburn-upon-Tyne they were opposed by a detachment of four thousand five hundred men, under Conway, who seemed resolute to dispute with them the passage of the river. The Scots first entreated them with great civility not to stop them in their march to their gracious sovereign, and then attacked them with great bravery, killed several, and chased the rest from their ground. Such a panic seized the whole English army that the forces at Newcastle fled immediately to Durham; and, not yet thinking themselves safe, they deserted that town and retreated into Yorkshire.<sup>75</sup>

The Scots took possession of Newcastle; and, though sufficiently elated with their victory, they preserved exact discipline, and persevered in their resolution of paying for everything, in order still to maintain the appearance of an amicable correspondence with England. They also despatched messengers to the king, who was arrived at York; and they took care, after the advantage which they had obtained, to redouble their expressions of loyalty, duty, and submission to his person; and they even made apologies, full of sorrow and contrition, for their late victory.<sup>76</sup>

Charles was in a very distressed condition. The nation was universally and highly discontented. The army was discouraged, and began likewise to be discontented, both

<sup>73</sup> Rushworth, vol. iii. p. 1279.

<sup>75</sup> Clarendon, vol. i. p. 143.

<sup>74</sup> Nalson, vol. ii. p. 427.

<sup>76</sup> Rushworth, vol. iii. p. 1255.



from the contagion of general disgust, and as an excuse for their misbehavior, which they were desirous of representing rather as want of will than of courage to fight. The treasury, too, was quite exhausted, and every expedient for supply had been tried to the uttermost. No event had happened but what might have been foreseen as necessary, at least as very probable; yet such was the king's situation that no provision could be made, nor was even any resolution taken, against such an exigency.

In order to prevent the advance of the Scots upon him, the king agreed to a treaty, and named sixteen English noblemen, who met with eleven Scottish commissioners at Rippon. The Earls of Hertford, Bedford, Salisbury, Warwick, Essex, Holland, Bristol, and Berkshire, the Lords Kimbolton, Wharton, Dunsmore, Paget, Broke, Saville, Paulet, and Howard of Escric, were chosen by the king—all of them popular men, and consequently supposed nowise averse to the Scottish invasion, or unacceptable to that nation.<sup>77</sup>

An address arrived from the city of London petitioning for a Parliament—the great point to which all men's projects at this time tended.<sup>78</sup> Twelve noblemen presented a petition to the same purpose.<sup>79</sup> But the king contented himself with summoning a great council of the Peers at York—a measure which had formerly been taken in cases of sudden emergency, but which at present could serve to little purpose. Perhaps the king, who dreaded above all things the House of Commons, and who expected no supply from them on any reasonable terms, thought that, in his present distresses, he might be enabled to levy supplies by the authority of the Peers alone. But the employing so long the plea of a necessity which appeared distant and doubtful rendered it impossible for him to avail himself of a necessity which was now at last become real, urgent, and inevitable.

By Northumberland's sickness the command of the army had devolved on Strafford. This nobleman possessed more vigor of mind than the king or any of the council. He advised Charles rather to put all to hazard than submit to such unworthy terms as were likely to be imposed upon him. The loss sustained at Newburn, he said, was inconsiderable; and though a panic had for a time seized the army, that

<sup>77</sup> Clarendon, vol. i. p. 155.

<sup>78</sup> Rushworth, vol. iii. p. 1263.

<sup>79</sup> Clarendon, vol. i. p. 146. Rushworth, vol. iii. p. 1260. May, p. 66. Warwick, p. 151.

event was nothing strange among new-levied troops ; and the Scots, being in the same condition, would no doubt be liable in their turn to a like accident. His opinion, therefore, was that the king should push forward and attack the Scots, and bring the affair to a quick decision ; and if he were ever so unsuccessful, nothing worse could befall him than what, from his inactivity, he would certainly be exposed to.<sup>80</sup> To show how easy it would be to execute this project, he ordered an assault to be made on some quarters of the Scots, and he gained an advantage over them. No cessation of arms had as yet been agreed to during the treaty at Rippon, yet great clamor prevailed on account of this act of hostility ; and when it was known that the officer who conducted the attack was a Papist, a violent outcry was raised against the king for employing that hated sect in the murder of his Protestant subjects.<sup>81</sup>

It may be worthy of remark that several mutinies had arisen among the English troops when marching to join the army ; and some officers had been murdered merely on suspicion of their being Papists.<sup>82</sup> The Petition of Right had abolished all martial law ; and by an inconvenience which naturally attended the plan, as yet new and unformed, of regular and rigid liberty, it was found absolutely impossible for the generals to govern the army by all the authority which the king could legally confer upon them. The lawyers had declared that martial law could not be exercised except in the presence of an enemy ; and because it had been found necessary to execute a mutineer, the generals thought it advisable, for their own safety, to apply for a pardon from the crown. This weakness, however, was carefully concealed from the army, and Lord Conway said that if any lawyer were so imprudent as to discover the secret to the soldiers, it would be necessary instantly to refute him, and to hang the lawyer himself by sentence of a court martial.<sup>83</sup>

An army new-levied, undisciplined, frightened, seditious, ill paid, and governed by no proper authority, was very unfit for withstanding a victorious and high-spirited enemy, and retaining in subjection a discontented and zealous nation.

Charles, in despair of being able to stem the torrent, at

<sup>80</sup> Nalson, vol. ii. p. 5.

<sup>81</sup> Clarendon, vol. i. p. 159.

<sup>82</sup> Rushworth, vol. iii. pp. 1190, 1191, 1192, etc. May, p. 64.

<sup>83</sup> Rushworth, vol. iii. p. 1199.

last determined to yield to it; and as he foresaw that the great council of Peers would advise him to call a Parliament, he told them in his first speech that he had already taken this resolution. He informed them likewise that the queen, in a letter which she had written to him, had very earnestly recommended that measure. This good prince, who was extremely attached to his consort, and who passionately wished to render her popular in the nation, forgot not, amid all his distress, the interest of his domestic tenderness.<sup>84</sup>

In order to subsist both armies (for the king was obliged, in order to save the northern counties, to pay his enemies), Charles wrote to the city, desiring a loan of two hundred thousand pounds. And the Peers at York, whose authority was now much greater than that of their sovereign, joined in the same request.<sup>85</sup> So low was this prince already fallen in the eyes of his own subjects!

As many difficulties occurred in the negotiation with the Scots, it was proposed to transfer the treaty from Rippon to London—a proposal willingly embraced by that nation, who were now sure of treating with advantage, in a place where the king, they foresaw, would be in a manner a prisoner in the midst of his implacable enemies and their determined friends.<sup>86</sup>

<sup>84</sup> Clarendon, vol. i. p. 154. Rushworth, vol. iii. p. 1275.

<sup>85</sup> Rushworth, vol. iii. p. 1279.

<sup>86</sup> Rushworth, vol. iii. p. 1305.

## CHAPTER LIV.

MEETING OF THE LONG PARLIAMENT.—STRAFFORD AND LAUD IMPEACHED.—FINCH AND WINDEBANK FLY.—GREAT AUTHORITY OF THE COMMONS.—THE BISHOPS ATTACKED.—TONNAGE AND POUNDAGE.—TRIENNIAL BILL.—STRAFFORD'S TRIAL.—BILL OF ATTAINDER.—EXECUTION OF STRAFFORD.—HIGH COMMISSION AND STAR-CHAMBER ABOLISHED.—KING'S JOURNEY TO SCOTLAND.

[1640.] THE causes of disgust which, for above thirty years, had been daily multiplying in England were now come to full maturity, and threatened the kingdom with some great revolution or convulsion. The uncertain and undefined limits of prerogative and privilege had been eagerly disputed during that whole period; and in every controversy between prince and people the question, however doubtful, had always been decided by each party in favor of its own pretensions. Too lightly, perhaps, moved by the appearance of necessity, the king had even assumed powers incompatible with the principles of limited government, and had rendered it impossible for his most zealous partisans entirely to justify his conduct, except by topics so unpopular that they were more fitted, in the present disposition of men's minds, to inflame than appease the general discontent. Those great supports of public authority, law and religion, had likewise, by the unbounded compliance of judges and prelates, lost much of their influence over the people; or, rather, had, in a great measure, gone over to the side of faction, and authorized the spirit of opposition and rebellion. The nobility, also, whom the king had no means of retaining by offices and preferments suitable to their rank, had been seized with the general discontent, and unwarily threw themselves into the scale which already began too much to preponderate. Sensible of some encroachments which had been made by royal authority, men entertained no jealousy of the Commons, whose enterprises for the acquisition of power had ever been covered with the appearance of the public good, and had hitherto gone no



further than some disappointed efforts and endeavors. The progress of the Scottish malcontents reduced the crown to an entire dependence for supply; their union with the popular party in England brought great accession of authority to the latter; the near prospect of success roused all latent murmurs and pretensions, which had hitherto been held in such violent constraint; and the torrent of general inclination and opinion ran so strongly against the court that the king was in no situation to refuse any reasonable demands of the popular leaders, either for defining or limiting the powers of his prerogative. Even many exorbitant claims, in his present situation, would probably be made, and must necessarily be complied with.

The triumph of the malcontents over the Church was not yet so immediate or certain. Though the political and religious Puritans mutually lent assistance to each other, there were many who joined the former, yet declined all connection with the latter. The hierarchy had been established in England ever since the Reformation; the Romish Church, in all ages, had carefully maintained that form of ecclesiastical government; the ancient fathers, too, bore testimony to episcopal jurisdiction, and though parity may seem at first to have had place among Christian pastors, the period during which it prevailed was so short that few undisputed traces of it remained in history. The bishops, and their more zealous partisans, inferred thence the divine indefeasible right of prelacy; others regarded that institution as venerable and useful; and if the love of novelty led some to adopt the new rites and discipline of the Puritans, the reverence to antiquity retained many in their attachment to the liturgy and government of the Church. It behooved, therefore, the zealous innovators in Parliament to proceed with some caution and reserve. By promoting all measures which reduced the powers of the crown, they hoped to disarm the king, whom they justly regarded, from principle, inclination, and policy, to be the determined patron of the hierarchy. By declaiming against the supposed encroachments and tyranny of the prelates, they endeavored to carry the nation from a hatred of their persons to an opposition against their office and character. And when men were enlisted in party, it would not be difficult, they thought, to lead them by degrees into many measures for which they formerly entertained the greatest aversion. Though the new sectaries composed not at first the majority of the na-

tion, they were inflamed, as is usual among innovators, with extreme zeal for their opinions. Their unsurmountable passion, disguised to themselves as well as to others under the appearance of holy fervors, was well qualified to make proselytes, and to seize the minds of the ignorant multitude. And one furious enthusiast was able, by his active industry, to surmount the indolent efforts of many sober and reasonable antagonists.

When the nation, therefore, was so generally discontented, and little suspicion was entertained of any design to subvert the Church and monarchy, no wonder that almost all elections ran in favor of those who, by their high pretensions to piety and patriotism, had encouraged the national prejudices. It is a usual compliment to regard the king's inclination in the choice of a speaker; and Charles had intended to advance Gardiner, Recorder of London, to that important trust; but so little interest did the crown at that time possess in the nation that Gardiner was disappointed of his election, not only in London, but in every other place where it was attempted: and the king was obliged to make the choice of speaker fall on Lenthall, a lawyer of some character, but not sufficiently qualified for so high and difficult an office.<sup>1</sup>

The eager expectations of men with regard to a Parliament summoned at so critical a juncture, and during such general discontents—a Parliament which, from the situation of public affairs, could not be abruptly dissolved, and which was to execute everything left unfinished by former parliaments—these motives, so important and interesting, engaged the attendance of all the members; and the House of Commons was never observed to be, from the beginning, so full and numerous. Without any interval, therefore, they entered upon business, and, by unanimous consent, they immediately struck a blow which may in a manner be regarded as decisive.

The Earl of Strafford was considered as chief minister, both on account of the credit which he possessed with his master and of his own great and uncommon vigor and capacity. By a concurrence of accidents, this man labored under the severe hatred of all the three nations which composed the British monarchy. The Scots, whose authority now ran extremely high, looked on him as the capital enemy of their country, and one whose counsels and influence they

<sup>1</sup> Clarendon, vol. i. p. 169.

had most reason to apprehend. He had engaged the Parliament of Ireland to advance large subsidies, in order to support a war against them; he had levied an army of nine thousand men, with which he had menaced all their western coast; he had obliged the Scots who lived under his government to renounce the covenant, their national idol; he had, in Ireland, proclaimed the Scottish Covenanters rebels and traitors, even before the king had issued any such declaration against them in England; and he had ever dissuaded his master against the late treaty and suspension of arms, which he regarded as dangerous and dishonorable. So avowed and violent were the Scots in their resentment of all these measures that they had refused to send commissioners to treat at York, as was at first proposed; because, they said, the Lieutenant of Ireland, their capital enemy, being general of the king's forces, had there the chief command and authority.

Strafford, first as deputy, then as lord lieutenant, had governed Ireland during eight years with great vigilance, activity, and prudence, but with very little popularity. In a nation so averse to the English government and religion, these very virtues were sufficient to draw on him the public hatred. The manners, too, and character of this great man, though to all full of courtesy, and to his friends full of affection, were at bottom haughty, rigid, and severe. His authority and influence, during the time of his government, had been unlimited; but no sooner did adversity seize him than the concealed aversion of the nation blazed up at once, and the Irish Parliament used every expedient to aggravate the charge against him.

The universal discontent which prevailed in England against the court was all pointed towards the Earl of Strafford; though without any particular reason, but because he was the minister of state whom the king most favored and trusted. His extraction was honorable, his paternal fortune considerable; yet envy attended his sudden and great elevation. And his former associates in popular councils, finding that he owed his advancement to the desertion of their cause, represented him as the great apostate of the commonwealth, whom it behooved them to sacrifice as a victim to public justice.

Strafford, sensible of the load of popular prejudices under which he labored, would gladly have declined attendance in Parliament; and he begged the king's permission

to withdraw himself to his government of Ireland—at least to remain at the head of the army in Yorkshire—where many opportunities, he hoped, would offer, by reason of his distance, to elude the attacks of his enemies. But Charles, who had entire confidence in the earl's capacity, thought that his counsels would be extremely useful during the critical session which approached. And when Strafford still insisted on the danger of his appearing amid so many enraged enemies, the king, little apprehensive that his own authority was so suddenly to expire, promised him protection, and assured him that not a hair of his head should be touched by the Parliament.<sup>2</sup>

No sooner was Strafford's arrival known than a concerted attack was made upon him in the House of Commons. Pym, in a long, studied discourse, divided into many heads after his manner, enumerated all the grievances under which the nation labored; and, from a complication of such oppressions, inferred that a deliberate plan had been formed of changing entirely the frame of government and subverting the ancient laws and liberties of the kingdom.<sup>3</sup> "Could anything," he said, "increase our indignation against so enormous and criminal a project, it would be to find that, during the reign of the best of princes, the constitution had been endangered by the worst of ministers, and that the virtues of the king had been seduced by wicked and pernicious counsel. We must inquire," added he, "from what fountain these waters of bitterness flow; and though, doubtless, many evil counsellors will be found to have contributed their endeavors, yet is there one who challenges the infamous pre-eminence, and who, by his courage, enterprise, and capacity, is entitled to the first place among these betrayers of their country. He is the Earl of Strafford, Lieutenant of Ireland, and President of the Council of York, who in both places, and in all other provinces where he has been intrusted with authority, has raised ample monuments of tyranny, and will appear, from a survey of his actions, to be the chief promoter of every arbitrary counsel." Some instances of imperious expressions as well as actions were given by Pym, who afterwards entered into a more personal attack of that minister, and endeavored to expose his whole character and manners. The austere genius of Strafford, occupied in the pursuits of ambition, had not rendered his breast altogether inaccessible

<sup>2</sup> Whitlocke, p. 36.

<sup>3</sup> Ibid.



to the tender passions, or secured him from the dominion of the fair; and in that sullen age, when the irregularities of pleasure were more reproachful than the most odious crimes, these weaknesses were thought worthy of being mentioned, together with his treasons, before so great an assembly. And, upon the whole, the orator concluded that it belonged to the House to provide a remedy proportionable to the disease, and to prevent the further mischiefs justly to be apprehended from the influence which this man had acquired over the measures and counsels of their sovereign.<sup>4</sup>

Sir John Clotworthy, an Irish gentleman, Sir John Hotham, of Yorkshire, and many others, entered into the same topics; and after several hours spent in bitter invective, when the doors were locked in order to prevent all discovery of their purpose, it was moved, in consequence of the resolution secretly taken, that Strafford should immediately be impeached of high treason. This motion was received with universal approbation; nor was there in all the debate one person that offered to stop the torrent by any testimony in favor of the earl's conduct. Lord Falkland alone, though known to be his enemy, modestly desired the House to consider whether it would not better suit the gravity of their proceedings, first, to digest by a committee many of those particulars which had been mentioned before they sent up an accusation against him. It was ingeniously answered by Pym that such a delay might probably blast all their hopes, and put it out of their power to proceed any further in the prosecution; that when Strafford should learn that so many of his enormities were discovered, his conscience would dictate his condemnation; and so great was his power and credit, he would immediately procure the dissolution of the Parliament, or attempt some other desperate measure for his own preservation; that the Commons were only accusers, not judges; and it was the province of the Peers to determine whether such a complication of enormous crimes in one person did not amount to the highest crime known by the law.<sup>5</sup> Without further debate, the impeachment was voted; Pym was chosen to carry it up to the Lords. Most of the House accompanied him on so agreeable an errand; and Strafford, who had just entered the House of Peers, and who little expected so speedy a prosecution, was immediately, upon this general

<sup>4</sup> Clarendon, vol. i. p. 172.

<sup>5</sup> Clarendon, vol. i. p. 174.

charge, ordered into custody, with several symptoms of violent prejudice in his judges as well as in his prosecutors.

In the inquiry concerning grievances and in the censure of past measures, Laud could not long escape the severe scrutiny of the Commons, who were led, too, in their accusation of that prelate, as well by their prejudices against his whole order as by the extreme antipathy which his intemperate zeal had drawn upon him. After a deliberation, which scarcely lasted half an hour, an impeachment of high treason was voted against this subject, the first both in rank and in favor throughout the kingdom. Though this incident, considering the example of Strafford's impeachment and the present disposition of the nation and Parliament, needed be no surprise to him, yet was he betrayed into some passion when the accusation was presented. "The Commons themselves," he said, "though his accusers, did not believe him guilty of the crimes with which they charged him." An indiscretion which, next day, upon more mature deliberation, he desired leave to retract; but so little favorable were the Peers that they refused him this advantage or indulgence. Laud also was immediately, upon this general charge, sequestered from Parliament and committed to custody.<sup>6</sup>

The capital article insisted on against these two great men was the design, which the Commons supposed to have been formed, of subverting the laws and constitution of England, and introducing arbitrary and unlimited authority into the kingdom. Of all the king's ministers, no one was so obnoxious in this respect as the lord keeper Finch. He it was who, being speaker in the king's third Parliament, had left the chair and refused to put the question when ordered by the House. The extra-judicial opinion of the judges in the case of ship-money had been procured by his intrigues, persuasions, and even menaces. In all unpopular and illegal measures he was ever most active; and he was even believed to have declared publicly that while he was keeper an order of council should always with him be equivalent to a law. To appease the rising displeasure of the Commons, he desired to be heard at their bar. He prostrated himself with all humility before them; but this submission availed him nothing. An impeachment was resolved on; and, in order to escape their fury, he thought proper secretly to withdraw and retire into Holland. As

<sup>6</sup> Clarendon, vol. i. p. 177. Whitlocke, p. 38. Rushworth, vol. iii. p. 1365.

he was not esteemed equal to Strafford, or even to Laud, either in capacity or in fidelity to his master, it was generally believed that his escape had been connived at by the popular leaders.<sup>7</sup> His impeachment, however, in his absence was carried up to the House of Peers.

Sir Francis Windebank, the secretary, was a creature of Laud's—a sufficient reason for his being extremely obnoxious to the Commons. He was secretly suspected, too, of the crime of popery; and it was known that, from complaisance to the queen, and, indeed, in compliance with the king's maxims of government, he had granted many indulgences to Catholics, and had signed warrants for the pardon of priests, and their delivery from confinement. Grimstone, a popular member, called him, in the House, the very pander and broker to the whore of Babylon.<sup>8</sup> Finding that the scrutiny of the Commons was pointed towards him, and being sensible that England was no longer a place of safety for men of his character, he suddenly made his escape into France.<sup>9</sup>

Thus, in a few weeks, this House of Commons, not opposed, or rather seconded, by the Peers, had produced such a revolution in the government that the two most powerful and most favored ministers of the king were thrown into the Tower and daily expected to be tried for their life. Two other ministers had, by flight alone, saved themselves from a like fate. All the king's servants saw that no protection could be given them by their master. A new jurisdiction was erected in the nation; and before that tribunal all those trembled *who* had before exulted most in their credit and authority.

What rendered the power of the Commons more formidable was the extreme prudence with which it was conducted. Not content with the authority which they had acquired by attacking these great ministers, they were resolved to render the most considerable bodies of the nation obnoxious to them. Though the idol of the people, they determined to fortify themselves likewise with terrors, and to overawe those who might still be inclined to support the falling ruins of a monarchy.

During the late military operations, several powers had been exercised by the lieutenants and deputy-lieutenants of counties; and these powers, though necessary for the de-

<sup>7</sup> Clarendon, vol. i. p. 177. Whitlocke, p. 38. Rushworth, vol. i. pp. 129, 136.

<sup>8</sup> Rushworth, vol. v. p. 122. <sup>9</sup> Clarendon, vol. i. p. 178. Whitlocke, p. 37.

fence of the nation, and even warranted by all former precedent, yet not being authorized by statute, were now voted to be illegal, and the persons who had assumed them declared *delinquents*. This term was newly come into vogue, and expressed a degree or species of guilt not exactly known or ascertained. In consequence of that determination, many of the nobility and prime gentry of the nation, while only exerting, as they justly thought, the legal powers of magistracy, unexpectedly found themselves involved in the crime of delinquency. And the Commons reaped this multiplied advantage by their vote : they disarmed the crown ; they established the maxims of rigid law and liberty ; and they spread the terror of their own authority.<sup>10</sup>

The writs for ship-money had been directed to the sheriffs, who were required, and even obliged, under severe penalties, to assess the sums upon individuals, and to levy them by their authority. Yet were all the sheriffs, and all those who had been employed in that illegal service, voted, by a very rigorous sentence, to be delinquents. The king, by the maxims of law, could do no wrong. His ministers and servants, of whatever degree, in case of any violation of the constitution, were alone culpable.<sup>11</sup>

All the farmers and officers of the customs, who had been employed during so many years in levying tonnage and poundage and the new impositions, were likewise declared criminals, and were afterwards glad to compound for a pardon by paying a fine of one hundred and fifty thousand pounds.

Every discretionary or arbitrary sentence of the Star-chamber and high commission—courts which, from their very constitution, were arbitrary—underwent a severe scrutiny ; and all those who had concurred in such sentences were voted to be liable to the penalties of law.<sup>12</sup> No minister of the king, no member of the council, but found himself exposed by this decision.

The judges who had given their vote against Hambden, in the trial of ship-money, were accused before the Peers, and obliged to find surety for their appearance. Berkeley, a judge of the king's Bench, was seized by order of the House, even when sitting in his tribunal ; and all men saw with astonishment the irresistible authority of their jurisdiction.<sup>13</sup>

The sanction of the Lords and Commons, as well as that

<sup>10</sup> Clarendon, vol. i. p. 176

<sup>12</sup> Clarendon, vol. i. p. 177.

<sup>11</sup> Ibid.

<sup>13</sup> Whitlocke, p. 39.



of the king, was declared necessary for the confirmation of ecclesiastical canons.<sup>14</sup> And this judgment, it must be confessed, however reasonable, at least useful, it would have been difficult to justify by any precedent.<sup>15</sup> But the present was no time for question or dispute. That decision which abolished all legislative power, except that of Parliament, was requisite for completing the new plan of liberty and rendering it quite uniform and systematical. Almost all the bench of bishops, and the most considerable of the inferior clergy who had voted in the late convocation, found themselves exposed by these new principles to the imputation of delinquency.<sup>16</sup>

The most unpopular of all Charles's measures, and the least justifiable, was the revival of monopolies, so solemnly abolished, after reiterated endeavors, by a recent act of Parliament. Sensible of this unhappy measure, the king had of himself recalled, during the time of his first expedition against Scotland, many of these oppressive patents; and the rest were now annulled by authority of Parliament, and every one who was concerned in them declared delinquents. The Commons carried so far their detestation of this odious measure that they assumed a power which had formerly been seldom practised,<sup>17</sup> and they expelled all their members who were monopolists or projectors—an artifice by which, besides increasing their own privileges, they weakened still further the very small party which the king secretly retained in the House. Mildmay, a notorious monopolist, yet having associated himself with the ruling party, was still allowed to keep his seat. In all questions, indeed, of elections, no steady rule of decision was observed; and nothing further was regarded than the affections and attachments of the parties.<sup>18</sup> Men's passions were too much heated to be shocked with any instance of injustice, which served ends so popular as those which were pursued by this House of Commons.

The whole sovereign power being thus in a manner

<sup>14</sup> Nalson, vol. i. p. 678.

<sup>15</sup> An act of Parliament, 25 Hen. VIII. cap. 19, allowed the convocation, with the king's consent, to make canons. By the famous act of submission to that prince, the clergy bound themselves to enact no canons without the king's consent. The Parliament was never mentioned nor thought of. Such pretensions as the Commons advanced at present would in any former age have been deemed strange usurpations.

<sup>16</sup> Clarendon, vol. i. p. 206. Whitlocke, p. 37. Rushworth, vol. v. pp. 235, 359. Nalson, vol. i. p. 807.

<sup>17</sup> Lord Clarendon says it was entirely new; but there are instances of it in the reign of Elizabeth.—D'Ewes, pp. 296, 352. There are also instances in the reign of James.

<sup>18</sup> Clarendon, vol. i. p. 176.

transferred to the Commons, and the government, without any seeming violence or disorder, being changed in a moment from a monarchy almost absolute to a pure democracy, the popular leaders seemed willing for some time to suspend their active vigor, and to consolidate their authority ere they proceeded to any violent exercise of it. Every day produced some new harangue on past grievances. The detestation of former usurpations was further enlivened; the jealousy of liberty roused; and, agreeably to the spirit of free government, no less indignation was excited by the view of a violated constitution than by the ravages of the most enormous tyranny.

This was the time when genius and capacity of all kinds, freed from the restraint of authority and nourished by unbounded hopes and projects, began to exert themselves, and be distinguished by the public. Then was celebrated the sagacity of Pym, more fitted for use than ornament—matured, not chilled, by his advanced age and long experience; then was displayed the mighty ambition of Hambden, taught disguise, not moderation, from former constraint; supported by courage, conducted by prudence, embellished by modesty; but whether founded in a love of power or zeal for liberty is still, from his untimely end, left doubtful and uncertain; then, too, were known the dark, ardent, and dangerous character of St. John; the impetuous spirit of Hollis, violent and sincere, open and entire in his enmities and in his friendships; the enthusiastic genius of young Vane, extravagant in the ends which he pursued, sagacious and profound in the means which he employed, incited by the appearances of religion, negligent of the duties of morality.

So little apology would be received for past measures, so contagious the general spirit of discontent, that even men of the most moderate tempers, and the most attached to the Church and monarchy, exerted themselves with the utmost vigor in the redress of grievances, and in prosecuting the authors of them. The lively and animated Digby displayed his eloquence on this occasion, the firm and undaunted Capel, the modest and candid Palmer. In this list, too, of patriot royalists are found the virtuous names of Hyde and Falkland. Though in their ultimate views and intentions these men differed widely from the former, in their present actions and discourses an entire concurrence and unanimity was observed.

By the daily harangues and invectives against illegal usurpations, not only the House of Commons inflamed themselves with the highest animosity against the court; the nation caught new fire from the popular leaders, and seemed now to have made the first discovery of the many supposed disorders in the government. While the law in several instances seemed to be violated, they went no further than some secret and calm murmurs; but mounted up into rage and fury as soon as the constitution was thought to be restored to its former integrity and vigor. The capital especially, being the seat of Parliament, was highly animated with the spirit of mutiny and disaffection. Tumults were daily raised, seditious assemblies encouraged; and every man, neglecting his own business, was wholly intent on the defence of liberty and religion. By stronger contagion, the popular affections were communicated from breast to breast, in this place of general rendezvous and society.

The harangues of members, now first published and dispersed, kept alive the discontents against the king's administration. The pulpits, delivered over to puritanical preachers and lecturers, whom the Commons arbitrarily settled in all the considerable churches, resounded with faction and fanaticism. Vengeance was fully taken for the long silence and constraint in which, by the authority of Laud and the high commission, these preachers had been retained. The press, freed from all fear or reserve, swarmed with productions dangerous by their seditious zeal and calumny more than by any art or eloquence of composition. Noise and fury, cant and hypocrisy, formed the sole rhetoric which, during this tumult of various prejudices and passions, could be heard or attended to.

The sentence which had been executed against Prynne, Bastwic, and Burton, now suffered a revisal from Parliament. These libellers, far from being tamed by the rigorous punishments which they had undergone, showed still a disposition of repeating their offence; and the ministers were afraid lest new satires should issue from their prisons, and still further inflame the prevailing discontents. By an order, therefore, of council, they had been carried to remote prisons—Bastwic to Scilly, Prynne to Jersey, Burton to Guernsey; all access to them was denied; and the use of books, and of pen, ink, and paper, was refused them. The sentence for these additional punishments was immediately reversed in an arbitrary manner by the Commons; even the first sen-

tence, upon examination, was declared illegal, and the judges who passed it were ordered to make reparation to the sufferers.<sup>19</sup> When the prisoners landed in England, they were received and entertained with the highest demonstrations of affection, were attended by a mighty confluence of company, their charges were borne with great magnificence, and liberal presents bestowed on them. On their approach to any town, all the inhabitants crowded to receive them, and welcomed their reception with shouts and acclamations. Their train still increased as they drew nigh to London. Some miles from the city, the zealots of their party met them in great multitudes, and attended their triumphant entrance. Boughs were carried in this tumultuous procession; the roads were strewn with flowers, and amid the highest exultations of joy were intermingled loud and virulent invectives against the prelates who had so cruelly persecuted such godly personages.<sup>20</sup> The more ignoble these men were, the more sensible was the insult upon royal authority, and the more dangerous was the spirit of disaffection and mutiny which it discovered among the people.

Lilburne, Leighton, and every one that had been punished for seditious libels during the preceding administration, now recovered their liberty, and were decreed damages from the judges and ministers of justice.<sup>21</sup>

Not only the present disposition of the nation insured impunity to all libellers; a new method of framing and dispersing libels was invented by the leaders of popular discontent. Petitions to Parliament were drawn, craving redress against particular grievances; and when a sufficient number of subscriptions were procured, the petitions were presented to the Commons and immediately published. These petitions became secret bonds of association among the subscribers, and seemed to give undoubted sanction and authority to the complaints which they contained.

It is pretended by historians favorable to the royal cause,<sup>22</sup> and is even asserted by the king himself in a declaration,<sup>23</sup> that a most disingenuous or rather criminal practice prevailed in conducting many of these addresses. A petition was first framed—moderate, reasonable, such as men of character willingly subscribed. The names were afterwards torn off and affixed to another petition which served better

<sup>19</sup> Nalson, vol. i. p. 783. May, p. 79.

<sup>20</sup> Clarendon, vol. i. pp. 199, 200, etc. Nalson, vol. i. p. 570. May, p. 80.

<sup>21</sup> Rushworth, vol. v. p. 228. Nalson, vol. i. p. 800.

<sup>22</sup> Dugdale. Clarendon, vol. i. p. 203.

<sup>23</sup> Husb. Col. p. 536.



the purposes of the popular faction. We may judge of the wild fury which prevailed throughout the nation when so scandalous an imposture, which affected such numbers of people, could be openly practised without drawing infamy and ruin upon the managers.

So many grievances were offered, both by the members and by petitions without-doors, that the House was divided into above forty committees, charged each of them with the examination of some particular violation of law and liberty which had been complained of. Besides the general committees of religion, trade, privileges, laws, many subdivisions of these were framed, and a strict scrutiny was everywhere carried on. It is to be remarked that, before the beginning of this century, when the Commons assumed less influence and authority, complaints of grievances were usually presented to the House by any members who had had particular opportunity of observing them. These general committees, which were a kind of inquisitorial courts, had not then been established; and we find that the king, in a former declaration,<sup>24</sup> complains loudly of this innovation, so little favorable to royal authority. But never was so much multiplied as at present the use of these committees; and the Commons, though themselves the greatest innovators, employed the usual artifice of complaining against innovations, and pretending to recover the ancient and established government.

From the reports of their committees, the House daily passed votes, which mortified and astonished the court, and inflamed and animated the nation. Ship-money was declared illegal and arbitrary; the sentence against Hambden cancelled; the Court of York abolished; compositions for knighthood stigmatized; the enlargement of the forests condemned; patents for monopolies annulled; and every late measure of administration treated with reproach and obloquy. To-day, a sentence of the Star-chamber was exclaimed against; to-morrow, a decree of the high commission. Every discretionary act of council was represented as arbitrary and tyrannical; and the general inference was still inculcated that a formed design had been laid to subvert the laws and constitution of the kingdom.

From necessity, the king remained entirely passive during all these violent operations. The few servants who continued faithful to him were seized with astonishment at

<sup>24</sup> Published on dissolving the third Parliament. See Parliamentary History, vol. viii. p. 347.

the rapid progress made by the Commons in power and popularity, and were glad, by their inactive and inoffensive behavior, to compound for impunity. The torrent rising to so dreadful and unexpected a height, despair seized all those who, from interest or habit, were most attached to monarchy. And as for those who maintained their duty to the king merely from their regard to the constitution, they seemed by their concurrence to swell that inundation which began already to deluge everything. "You have taken the whole machine of government in pieces," said Charles, in a discourse to the Parliament; "a practice frequent with skilful artists when they desire to clear the wheels from any rust which may have grown upon them. The engine," continued he, "may again be restored to its former use and motions, provided it be put up entire, so as not a pin of it be wanting." But this was far from the intention of the Commons. The machine, they thought, with some reason, was encumbered with many wheels and springs which retarded and crossed its operations and destroyed its utility. Happy had they proceeded with moderation, and been contented, in their present plenitude of power, to remove such parts only as might justly be deemed superfluous and incongruous!

In order to maintain that high authority which they had acquired, the Commons, besides confounding and overawing their opponents, judged it requisite to inspire courage into their friends and adherents—particularly into the Scots, and the religious Puritans, to whose assistance and good offices they were already so much beholden.

No sooner were the Scots masters of the northern counties than they laid aside their first professions—which they had not, indeed, means to support—of paying for everything; and, in order to prevent the destructive expedient of plunder and free quarters, the country consented to give them a regular contribution of eight hundred and fifty pounds a day, in full of their subsistence.<sup>25</sup> The Parliament, that they might relieve the northern counties from so grievous a burden, agreed to remit pay to the Scottish as well as to the English army; and because subsidies would be levied too slowly for so urgent an occasion, money was borrowed from the citizens upon the security of particular members. Two subsidies, a very small sum,<sup>26</sup> were at first voted; and as the intention of this supply was to indemnify the mem-

<sup>25</sup> Rushworth, vol. iii. p. 1295.

<sup>26</sup> It appears that a subsidy was now fallen to fifty thousand pounds.

bers who, by their private, had supported public credit, this pretence was immediately laid hold of, and the money was ordered to be paid, not into the treasury, but to commissioners appointed by Parliament—a practice which, as it diminished the authority of the crown, was willingly embraced, and was afterwards continued by the Commons with regard to every branch of revenue which they granted to the king. The invasion of the Scots had evidently been the cause of assembling the Parliament; the presence of their army reduced the king to that total subjection in which he was now held; the Commons, for this reason, openly professed their intention of retaining these invaders, till all their own enemies should be suppressed, and all their purposes effected. “We cannot yet spare the Scots,” said Strode, plainly, in the House; “the sons of Zeruiah are still too strong for us.”<sup>27</sup> An allusion to a passage of Scripture, according to the mode of that age. Eighty thousand pounds a month were requisite for the subsistence of the two armies—a sum much greater than the subject had ever been accustomed, in any former period, to pay to the public. And though several subsidies, together with a poll-tax, were from time to time voted to answer the charge, the Commons still took care to be in debt, in order to render the continuance of the session the more necessary.

The Scots being such useful allies to the malcontent party in England, no wonder they were courted with the most unlimited complaisance and the most important services. The king having, in his first speech, called them *rebels*, observed that he had given great offence to the Parliament; and he was immediately obliged to soften, and even retract, the expression. The Scottish commissioners, of whom the most considerable were the Earl of Rothes and Lord Loudon, found every advantage in conducting their treaty, yet made no haste in bringing it to an issue. They were lodged in the city, and kept an intimate correspondence, as well with the magistrates who were extremely disaffected as with the popular leaders in both Houses. St. Antholine’s church was assigned them for their devotions; and their chaplains here began openly to practise the Presbyterian form of worship, which, except in foreign languages, had never hitherto been allowed any indulgence or toleration. So violent was the general propensity towards this new religion that multitudes of all ranks crowded to the church.

<sup>27</sup> Dugdale, p. 71.

Those who were so happy as to find access early in the morning kept their places the whole day; those who were excluded clung to the doors or windows, in hopes of catching, at least, some distant murmur or broken phrases of the holy rhetoric.<sup>28</sup> All the eloquence of Parliament, now well refined from pedantry, animated with the spirit of liberty, and employed in the most important interests, was not attended to with such insatiable avidity as were these lectures, delivered with ridiculous cant, and a provincial accent full of barbarism and of ignorance.

The most effectual expedient for paying court to the zealous Scots was to promote the Presbyterian discipline and worship throughout England; and to this innovation the popular leaders among the Commons, as well as their more devoted partisans, were, of themselves, sufficiently inclined. The puritanical party, whose progress, though secret, had hitherto been gradual in the kingdom, taking advantage of the present disorders, began openly to profess their tenets and to make furious attacks on the established religion. The prevalence of that sect in the Parliament discovered itself, from the beginning, by insensible but decisive symptoms. Marshall and Burgess, two puritanical clergymen, were chosen to preach before them, and entertained them with discourses seven hours in length.<sup>29</sup> It being the custom of the House always to take the sacrament before they enter upon business, they ordered as a necessary preliminary that the communion-table should be removed from the east end of St. Margaret's into the middle of the area.<sup>30</sup> The name of the *spiritual lords* was commonly left out in acts of Parliament; and the laws ran in the name of King, Lords, and Commons. The clerk of the Upper House, in reading bills, turned his back on the bench of bishops; nor was his insolence ever taken notice of. On a day appointed for a solemn fast and humiliation, all the orders of temporal peers, contrary to former practice, in going to church, took place of the spiritual; and Lord Spencer remarked that the humiliation, that day, seemed confined alone to the prelates.

Every meeting of the Commons produced some vehement harangue against the usurpations of the bishops, against the high commission, against the late convocation, against the new canons. So disgusted were all lovers of civil

<sup>28</sup> Clarendon, vol. i. p. 189.

<sup>29</sup> Nalson, vol. i. pp. 530, 533.

<sup>30</sup> Nalson, vol. i. p. 537.



liberty at the doctrines promoted by the clergy that these invectives were received without control; and no distinction, at first, appeared between such as desired only to repress the exorbitances of the hierarchy and such as pretended totally to annihilate episcopal jurisdiction. Encouraged by these favorable appearances, petitions against the Church were framed in different parts of the kingdom. The epithet of the ignorant and vicious priesthood was commonly applied to all churchmen addicted to the established discipline and worship, though the episcopal clergy in England, during that age, seem to have been, as they are at present, sufficiently learned and exemplary. An address against episcopacy was presented by twelve clergymen to the committee of religion, and pretended to be signed by many hundreds of the puritanical persuasion. But what made most noise was the city petition for a total alteration of Church government—a petition to which fifteen thousand subscriptions were annexed, and which was presented by Alderman Pennington, the city member.<sup>31</sup> It is remarkable that among the many ecclesiastical abuses there complained of, an allowance given by the licensers of books to publish a translation of Ovid's *Art of Love* is not forgotten by these rustic censors.<sup>32</sup>

Notwithstanding the favorable disposition of the people, the leaders in the House resolved to proceed with caution. They introduced a bill for prohibiting all clergymen the exercise of any civil office. As a consequence, the bishops were to be deprived of their seats in the House of Peers—a measure not unacceptable to the zealous friends of liberty, who observed with regret the devoted attachment of that order to the will of the monarch. But when this bill was presented to the Peers, it was rejected by a great majority<sup>33</sup>—the first check which the Commons had received in their popular career, and a prognostic of what they might afterwards expect from the upper House, whose inclinations and interests could never be totally separated from the throne. But to show how little they were discouraged, the Puritans immediately brought in another bill for the total abolition of episcopacy; though they thought proper to let the bill sleep at present, in expectation of a more favorable opportunity of reviving it.<sup>34</sup>

Among other acts of regal executive power which the

<sup>31</sup> Clarendon, vol. i. p. 203. Whitlocke, p. 37. Nalson, vol. i. p. 666.

<sup>32</sup> Rushworth, vol. v. p. 171.

<sup>33</sup> Clarendon, vol. i. p. 237.

<sup>34</sup> *Ibid.*

Commons were every day assuming, they issued orders for demolishing all images, altars, crucifixes. The zealous Sir Robert Harley, to whom the execution of these orders was committed, removed all crosses even out of streets and markets; and, from his abhorrence of that superstitious figure, would not anywhere allow one piece of wood or stone to lie over another at right angles.<sup>35</sup>

) The Bishop of Ely and other clergymen were attacked on account of innovations.<sup>36</sup> Cozens, who had long been obnoxious, was exposed to new censures. This clergyman, who was Dean of Peterborough, was extremely zealous for ecclesiastical ceremonies; and so far from permitting the communicants to break the sacramental bread with their fingers, a privilege on which the Puritans strenuously insisted, he would not so much as allow it to be cut with an ordinary household instrument. A consecrated knife must perform that sacred office, and must never afterwards be profaned by any vulgar service.<sup>37</sup>

Cozens likewise was accused of having said, "The king has no more authority in ecclesiastical matters than the boy who rubs my horse's heels."<sup>38</sup> The expression was violent; but it is certain that all those High-Churchmen who were so industrious in reducing the laity to submission were extremely fond of their own privileges and independency, and were desirous of exempting the mitre from all subjection to the crown.

A committee was elected by the lower House as a court of inquisition upon the clergy, and was commonly denominated the committee of *scandalous ministers*. The politicians among the Commons were apprised of the great importance of the pulpit for guiding the people; the bigots were enraged against the prelatical clergy; and both of them knew that no established government could be overthrown by strictly observing the principles of justice, equity, or clemency. The proceedings, therefore, of this famous committee, which continued for several years, were cruel and arbitrary, and made great havoc both on the Church and the universities. They began with harassing, imprisoning, and molesting the clergy; and ended with sequestrating and ejecting them. In order to join contumely to cruelty, they gave the sufferers the epithet of *scandalous*, and endeavored

<sup>35</sup> Whitlocke, p. 45.

<sup>36</sup> Rushworth, vol. v. p. 331.

<sup>37</sup> Parliamentary History, vol. vi. p. 282. Rushworth, vol. v. p. 209.

<sup>38</sup> Rushworth, vol. p. 203.

to render them as odious as they were miserable.<sup>39</sup> The greatest vices, however, which they could reproach to a great part of them were bowing at the name of Jesus, placing the communion-table in the east, reading the king's orders for sports on Sunday, and other practices which the established government, both in Church and State, had strictly enjoined them.

It may be worth observing that all historians who lived near that age, or, what perhaps is more decisive, all authors who have casually made mention of those public transactions, still represent the civil disorders and convulsions as proceeding from religious controversy, and consider the political disputes about power and liberty as entirely subordinate to the other. It is true, had the king been able to support government, and at the same time to abstain from all invasion of national privileges, it seems not probable that the Puritans ever could have acquired such authority as to overturn the whole constitution; yet so entire was the subjection into which Charles was now fallen that, had not the wound been poisoned by the infusion of theological hatred, it must have admitted of an easy remedy. Disuse of parliaments, imprisonments and prosecution of members, ship-money, an arbitrary administration—these were loudly complained of; but the grievances which tended chiefly to inflame the Parliament and nation, especially the latter, were the surplice, the rails placed about the altar, the bows exacted on approaching it, the liturgy, the breach of the Sabbath, embroidered copes, lawn sleeves, the use of the ring in marriage and of the cross in baptism. On account of these were the popular leaders content to throw the government into such violent convulsions; and, to the disgrace of that age and of this island, it must be acknowledged that the disorders in Scotland entirely, and those in England mostly, proceeded from so mean and contemptible an origin.<sup>40</sup>

Some persons, partial to the patriots of this age, have ventured to put them in balance with the most illustrious characters of antiquity, and mentioned the names of Pym, Hambden, Vane, as a just parallel to those of Cato, Brutus,

<sup>39</sup> Clarendon, vol. i. p. 199. Whitlocke, p. 122. May, p. 81.

<sup>40</sup> Lord Clarendon, vol. i. p. 233, says that the parliamentary party were not agreed about the entire abolition of episcopacy; they were only the *root-and-branch* men, as they were called, who insisted on that measure. But those who were willing to retain bishops insisted on reducing their authority to a low ebb, as well as on abolishing the ceremonies of worship and vestments of the clergy. The controversy, therefore, between the parties was almost wholly theological, and that of the most frivolous and ridiculous kind.

Cassius. Profound capacity, indeed undaunted courage, extensive enterprise—in these particulars, perhaps, the Roman do not much surpass the English worthies; but what a difference when the discourse, conduct, conversation, and private as well as public behavior of both are inspected! Compare only one circumstance, and consider its consequences. The leisure of those noble ancients was totally employed in the study of Grecian eloquence and philosophy, in the cultivation of polite letters and civilized society. The whole discourse and language of the moderns were polluted with mysterious jargon, and full of the lowest and most vulgar hypocrisy.

The laws, as they stood at present, protected the Church, but they exposed the Catholics to the utmost rage of the Puritans; and these unhappy religionists, so obnoxious to the prevailing sect, could not hope to remain long unmolested. The voluntary contribution which they had made, in order to assist the king in his war against the Scottish Covenanters, was inquired into, and represented as the greatest enormity.<sup>41</sup> By an address from the Commons, all officers of that religion were removed from the army, and application was made to the king for seizing two thirds of the lands of recusants—a proportion to which, by law, he was entitled, but which he had always allowed them to possess upon easy compositions. The execution of the severe and bloody laws against priests was insisted on; and one Goodman, a Jesuit, who was found in prison, was condemned to a capital punishment. Charles, however, agreeably to his principles, scrupled to sign the warrant for his execution, and the Commons expressed great resentment on the occasion.<sup>42</sup> There remains a singular petition of Goodman, begging to be hanged rather than prove a source of contention between the king and his people.<sup>43</sup> He escaped with his life; but it seems more probable that he was overlooked amid affairs of greater consequence than that such unrelenting hatred would be softened by any consideration of his courage and generosity.

For some years, Con, a Scotchman, afterwards Rosetti, an Italian, had openly resided at London, and frequented the court, as vested with a commission from the pope. The queen's zeal, and her authority with her husband, had been

<sup>41</sup> Rushworth, vol. v. p. 160.

<sup>42</sup> Rushworth, vol. v. pp. 158, 159. Nalson, vol. i. p. 739.

<sup>43</sup> Rushworth, vol. v. p. 166. Nalson, vol. i. p. 749.



the cause of this imprudence, so offensive to the nation.<sup>44</sup> But the spirit of bigotry now rose too high to permit any longer such indulgences.<sup>45</sup>

Hayward, a justice of peace, having been wounded, when employed in the exercise of his office, by one James, a Catholic madman, this enormity was ascribed to the popery, not to the frenzy, of the assassin; and great alarms seized the nation and Parliament.<sup>46</sup> A universal conspiracy of the Papists was supposed to have taken place; and every man, for some days, imagined that he had a sword at his throat. Though some persons of family and distinction were still attached to the Catholic superstition, it is certain that the numbers of that sect did not amount to the fortieth part of the nation; and the frequent panics to which men, during this period, were so subject on account of the Catholics were less the effects of fear than of extreme rage and aversion entertained against them.

The queen-mother of France, having been forced into banishment by some court intrigues, had retired into England, and expected shelter, amid her present distresses, in the dominions of her daughter and son-in-law. But though she behaved in the most inoffensive manner, she was insulted by the populace on account of her religion, and was even threatened with worse treatment. The Earl of Holland, Lieutenant of Middlesex, had ordered a hundred musketeers to guard her; but finding that they had imbibed the same prejudices with the rest of their countrymen, and were unwillingly employed in such a service, he laid the case before the House of Peers; for the king's authority was now entirely annihilated. He represented the indignity of the action that so great a princess, mother to the King of France and to the Queens of Spain and England, should be affronted by the multitude. He observed the indelible reproach which would fall upon the nation if that unfortunate queen should suffer any violence from the misguided zeal of the people. He urged the sacred rights of hospitality due to every one, much more to a person in distress, of so high a rank, with whom the nation was so nearly connected.

<sup>44</sup> It is now known from the Clarendon papers that the king had also an authorized agent who resided at Rome. His name was Bret, and his chief business was to negotiate with the pope concerning indulgences to the Catholics, and to engage the Catholics in return to be good and loyal subjects. But this whole matter, though very innocent, was most carefully kept secret. The king says that he believed Bret to be as much his as any Papist could be. See pp. 348, 354.

<sup>45</sup> Rushworth, vol. v. p. 301.

<sup>46</sup> Clarendon, vol. i. p. 249. Rushworth, vol. p. 57.

The Peers thought proper to communicate the matter to the Commons, whose authority over the people was absolute. The Commons agreed to the necessity of protecting the queen-mother, but at the same time prayed that she might be desired to depart the kingdom, "for the quieting those jealousies in the hearts of his majesty's well-affected subjects, occasioned by some ill instruments about the queen's person, by the flowing of priests and Papists to her house, and by the use and practice of the idolatry of the mass, and exercise of other superstitious services of the Romish Church, to the great scandal of true religion."<sup>47</sup>

Charles, in the former part of his reign, had endeavored to overcome the intractable and encroaching spirit of the Commons by a perseverance in his own measures, by a stately dignity of behavior, and by maintaining at their utmost height, and even perhaps stretching beyond former precedent, the rights of his prerogative. Finding, by experience, how unsuccessful those measures had proved, and observing the low condition to which he was now reduced, he resolved to alter his whole conduct, and to regain the confidence of his people by pliability, by concessions, and by a total conformity to their inclinations and prejudices. It may safely be averred that this new extreme into which the king, for want of proper counsel or support, was fallen, became no less dangerous to the constitution and pernicious to public peace than the other in which he had so long and so unfortunately persevered.

The pretensions with regard to tonnage and poundage were revived, and with certain assurance of success, by the Commons.<sup>48</sup> The levying of these duties, as formerly, without consent of Parliament, and even increasing them at pleasure, was such an incongruity in a free constitution, where the people, by their fundamental privileges, cannot be taxed but by their own consent, as could no longer be endured by these jealous patrons of liberty. In the preamble, therefore, to the bill by which the Commons granted these duties to the king, they took care, in the strongest and most positive terms, to assert their own right of bestowing this gift, and to divest the crown of all independent title of assuming it. And that they might increase, or rather finally

<sup>47</sup> Rushworth, vol. v. p. 267.

<sup>48</sup> It appears not that the Commons, though now entirely masters, abolished the new impositions of James, against which they had formerly so loudly complained—a certain proof that the rates of customs settled by that prince were in most instances just, and proportioned to the new price of commodities. They seem rather to have been low. See Journal, August 10, 1625.

fix, the entire dependence and subjection of the king, they voted these duties only for two months, and afterwards, from time to time, renewed their grants for very short periods.<sup>49</sup> Charles, in order to show that he entertained no intention ever again to separate himself from his Parliament, passed this important bill without any scruple or hesitation.<sup>50</sup>

With regard to the bill for triennial parliaments, he made a little difficulty. By an old statute, passed during the reign of Edward III., it had been enacted that parliaments should be held once every year, or more frequently if necessary; but, as no provision had been made in case of failure, and no precise method pointed out for execution, this statute had been considered merely as a general declaration, and was dispensed with at pleasure. The defect was supplied by those vigilant patriots who now assumed the reins of government. It was enacted that if the chancellor, who was first bound under severe penalties, failed to issue writs by the 3d of September in every third year, any twelve or more of the Peers should be empowered to exert this authority; in default of the Peers, that the sheriffs, mayors, bailiffs, etc., should summon the voters; and in their default, that the voters themselves should meet and proceed to the election of members, in the same manner as if writs had been regularly issued from the crown. Nor could the Parliament, after it was assembled, be adjourned, prorogued, or dissolved without their own consent, during the space of fifty days. By this bill some of the noblest and most valuable prerogatives of the crown were retrenched; but at the same time nothing could be more necessary than such a statute for completing a regular plan of law and liberty. A great reluctance to assemble parliaments must be expected in the king, where these assemblies, as of late, established it as a maxim to carry their scrutiny into every part of government. During long intermissions of Parliament, grievances and abuses, as was found by recent experiences, would naturally creep in; and it would even become necessary for the king and council to exert a great discretionary authority, and by acts of state to supply, in every emergency, the legislative power, whose meeting

<sup>49</sup> It was an instruction given by the House to the committee which framed one of these bills to take care that the rates upon exportation may be as light as possible, and upon importation as heavy as trade will bear--a proof that the nature of commerce began now to be understood. *Journal*, June 1, 1641.

<sup>50</sup> Clarendon, vol. i. p. 208.

was so uncertain and precarious. Charles, finding that nothing less would satisfy his Parliament and people, at last gave his assent to this bill, which produced so great an innovation in the constitution.<sup>51</sup> Solemn thanks were presented him by both Houses; great rejoicings were expressed both in the city and throughout the nation; and mighty professions were everywhere made of gratitude and mutual returns of supply and confidence. This concession of the king, it must be owned, was not entirely voluntary; it was of a nature too important to be voluntary. The sole inference which his partisans were entitled to draw from the submissions so frankly made to present necessity was, that he had certainly adopted a new plan of government, and for the future was resolved, by every indulgence, to acquire the confidence and affections of his people.

Charles thought that what concessions were made to the public were of little consequence if no gratifications were bestowed on individuals who had acquired the direction of public counsels and determinations. A change of ministers as well as of measures was therefore resolved on. In one day several new privy-councillors were sworn—the Earls of Hertford, Bedford, Essex, Bristol; the Lords Say, Saville, Kimbolton; within a few days after was admitted the Earl of Warwick.<sup>52</sup> All these noblemen were of the popular party, and some of them afterwards, when matters were pushed to extremities by the Commons, proved the greatest support of monarchy.

Juxon, Bishop of London, who had never desired the treasurer's staff, now earnestly solicited for leave to resign it, and retire to the care of that turbulent diocese committed to him. The king gave his consent; and it is remarkable that during all the severe inquiries carried on against the conduct of ministers and prelates, the mild and prudent virtues of this man, who bore both these invidious characters, remained unmolested.<sup>53</sup> It was intended that Bedford, a popular man of great authority as well as wisdom and moderation, should succeed Juxon; but that nobleman, unfortunately both for king and people, died about this very time. By some promotions, place was made for St. John, who was created solicitor-general. Hollis was to be made secretary of state, in the room of Windebank, who had fled; Pym, chancellor of the exchequer, in the room of Lord Cot-

<sup>51</sup> Clarendon, vol. i. p. 209. Whitlocke, p. 39. Rushworth, vol. v. p. 189.

<sup>52</sup> Clarendon, vol. i. p. 195.

<sup>53</sup> Warwick, p. 95.



tington, who had resigned; Lord Say, master of the wards, in the room of the same nobleman; the Earl of Essex, governor; and Hambden, tutor to the prince.<sup>54</sup>

What retarded the execution of these projected changes was the difficulty of satisfying all those who, from their activity and authority in Parliament, had pretensions for offices, and who still had it in their power to embarrass and distress the public measures. Their associates, too, in popularity, whom the king intended to distinguish by his favor, were unwilling to undergo the reproach of having driven a separate bargain, and of sacrificing to their own ambitious views the cause of the nation. And as they were sensible that they must owe their preferment entirely to their weight and consideration in Parliament, they were most of them resolved still to adhere to that assembly, and both to promote its authority and to preserve their own credit in it. On all occasions, they had no other advice to give the king than to allow himself to be directed by his great council; or, in other words, to resign himself passively to their guidance and government. And Charles found that, instead of acquiring friends by the honors and offices which he should bestow, he should only arm his enemies with more power to hurt him.

The end on which the king was most intent in changing ministers was to save the life of the Earl of Strafford, and to mollify by these indulgences the rage of his most furious prosecutors. But so high was that nobleman's reputation for experience and capacity that all the new councillors and intended ministers plainly saw that if he escaped their vengeance, he must return into favor and authority; and they regarded his death as the only security which they could have both for the establishment of their present power and for success in their future enterprises. His impeachment, therefore, was pushed on with the utmost vigor; and, after long and solemn preparations, was brought to a final issue.

Immediately after Strafford was sequestered from Parliament and confined in the Tower, a committee of thirteen was chosen by the lower House, and intrusted with the office of preparing a charge against him. These, joined to a small committee of Lords, were vested with authority to examine all witnesses, to call for every paper, and to use any means of scrutiny with regard to any part of the earl's behavior and conduct.<sup>55</sup> After so general and unbounded

<sup>54</sup> Clarendon, vol. i. pp. 210, 211.

<sup>55</sup> Clarendon, vol. i. p. 192.

an inquisition, exercised by such powerful and implacable enemies, a man must have been very cautious or very innocent not to afford, during the whole course of his life, some matter of accusation against him.

This committee, by direction from both Houses, took an oath of secrecy—a practice very unusual, and which gave them the appearance of conspirators more than ministers of justice.<sup>56</sup> But the intention of this strictness was to render it more difficult for the earl to elude their search, or prepare for his justification.

Application was made to the king that he would allow this committee to examine privy-councillors with regard to opinions delivered at the board—a concession which Charles unwarily made, and which thenceforth banished all mutual confidence from the deliberations of council, where every man is supposed to have entire freedom, without fear of future punishment or inquiry, of proposing any expedient, questioning any opinion, or supporting any argument.<sup>57</sup>

Sir George Ratcliffe, the earl's intimate friend and confidant, was accused of high treason, sent for from Ireland, and committed to close custody. As no charge ever appeared, or was prosecuted against him, it is impossible to give a more charitable interpretation to this measure than that the Commons thereby intended to deprive Strafford, in his present distress, of the assistance of his best friend, who was most enabled by his testimony to justify the innocence of his patron's conduct and behavior.<sup>58</sup>

When intelligence arrived in Ireland of the plans laid for Strafford's ruin, the Irish House of Commons, though they had very lately bestowed ample praises on his administration, entered into all the violent counsels against him, and prepared a representation of the miserable state into which, by his misconduct, they supposed the kingdom to be fallen. They sent over a committee to London to assist in the prosecution of their unfortunate governor; and by intimations from this committee, who entered into close confederacy with the popular leaders in England, was every measure of the Irish Parliament governed and directed. Impeachments, which were never prosecuted, were carried up against Sir Richard Bolton, the chancellor; Sir Gerard Louthier, chief-justice; and Bramhall, Bishop of Derry.<sup>59</sup> This step, which was an exact counterpart to the proceed-

<sup>56</sup> Whitlocke, p. 37.

<sup>58</sup> Clarendon, vol. i. p. 214.

<sup>57</sup> Clarendon, vol. i. p. 193.

<sup>59</sup> Rushworth, vol. i. p. 214.

ings in England, served also the same purposes: it deprived the king of the ministers whom he most trusted; it discouraged and terrified all the other ministers; and it prevented those persons who were best acquainted with Strafford's counsels from giving evidence in his favor before the English Parliament.

The bishops, being forbidden by the ancient canons to assist in trials for life, and being unwilling, by an opposition, to irritate the Commons, who were already much prejudiced against them, thought proper of themselves to withdraw.<sup>60</sup> The Commons also voted that the new-created peers ought to have no voice in this trial; because the accusation being agreed to while they were commoners, their consent to it was implied, with that of all the Commons of England. Notwithstanding this decision, which was meant only to deprive Strafford of so many friends, Lord Seymour and some others still continued to keep their seats; nor was their right to it any further questioned.<sup>61</sup>

To bestow the greater solemnity on this important trial, scaffolds were erected in Westminster Hall; where both Houses sat, the one as accusers, the other as judges. Besides the chair of state, a close gallery was prepared for the king and queen, who attended during the whole trial.<sup>62</sup>

An accusation carried on by the united effort of three kingdoms against one man, unprotected by power, unassisted by counsel, discountenanced by authority, was likely to prove a very unequal contest; yet such were the capacity, genius, presence of mind, displayed by this magnanimous statesman, that, while argument and reason and law had any place, he obtained an undisputed victory. And he perished at last, overwhelmed and still unsubdued, by the open violence of his fierce and unrelenting antagonists.

[1641.] The articles of impeachment against Strafford are twenty-eight in number; and regard his conduct, as president of the Council of York, as deputy or lieutenant of Ireland, and as councillor or commander in England. But though four months were employed by the managers in framing the accusation, and all Strafford's answers were extemporary, it appears from comparison, not only that he was free from the crime of treason, of which there is not the least appearance, but that his conduct, making allow-

<sup>60</sup> Clarendon, vol. i. p. 216.

<sup>62</sup> Whitlocke, p. 40. Rushworth, vol. iv. p. 41. May, p. 90.

<sup>61</sup> Ibid.

ance for human frailties, exposed to such severe scrutiny, was innocent, and even laudable.

The powers of the northern council, while he was president, had been extended by the king's instructions beyond what formerly had been practised; but that court being at first instituted by a stretch of royal prerogative, it had been usual for the prince to vary his instructions; and the largest authority committed to it was altogether as legal as the most moderate and most limited. Nor was it reasonable to conclude that Strafford had used any art to procure those extensive powers; since he never once sat as president, or exercised one act of jurisdiction after he was invested with the authority so much complained of.<sup>63</sup>

In the government of Ireland, his administration had been equally promotive of his master's interest and that of the subjects committed to his care. A large debt he had paid off; he had left a considerable sum in the exchequer; the revenue, which never before answered the charges of government, was now raised to be equal to them;<sup>64</sup> a small standing army, formerly kept in no order, was augmented, and was governed by exact discipline; and a great force was there raised and paid for the support of the king's authority against the Scottish Covenanters.

Industry and all the arts of peace were introduced among that rude people; the shipping of the kingdom augmented a hundred-fold;<sup>65</sup> the customs tripled upon the same rates;<sup>66</sup> the exports double in value to the imports; manufactures, particularly that of linen, introduced and promoted;<sup>67</sup> agriculture, by means of the English and Scottish plantations, gradually advancing; the Protestant religion encouraged, without the persecution or discontent of the Catholics.

The springs of authority he had enforced without overstraining them. Discretionary acts of jurisdiction, indeed, he had often exerted, by holding courts-martial, billeting soldiers, deciding causes upon paper petitions before the council, issuing proclamations, and punishing their infraction. But discretionary authority during that age was usually exercised even in England. In Ireland it was still more requisite, among a rude people not yet thoroughly subdued, averse to the religion and manners of their con-

<sup>63</sup> Rushworth, vol. iv. p. 145.

<sup>64</sup> Rushworth, vol. iv. pp. 120, 247. Warwick, p. 115.

<sup>65</sup> Nalson, vol. ii. p. 45. <sup>66</sup> Rushworth, vol. iv. p. 124. <sup>67</sup> Warwick, p. 115.



querors, ready on all occasions to relapse into rebellion and disorder. While the managers of the Commons demanded, every moment, that the deputy's conduct should be examined by the line of rigid law and severe principles, he appealed still to the practice of all former deputies, and to the uncontrollable necessity of his situation.

So great was his art of managing elections and balancing parties that he had engaged the Irish Parliament to vote whatever was necessary, both for the payment of former debts and for support of the new-levied army; nor had he ever been reduced to the illegal expedients practised in England, for the supply of public necessities. No imputation of rapacity could justly lie against his administration. Some instances of imperious expressions, and even actions, may be met with. The case of Lord Mountnorris, of all those which were collected with so much industry, is the most flagrant and the least excusable.

It had been reported at the table of Lord Chancellor Loftus that Annesley, one of the deputy's attendants, in moving a stool, had sorely hurt his master's foot, who was at that time afflicted with the gout. "Perhaps," said Mountnorris, who was present at table, "it was done in revenge of that public affront which my lord deputy formerly put upon him; *but he has a brother who would not have taken such a revenge.*" This casual, and seemingly innocent, at least ambiguous, expression was reported to Strafford, who, on pretence that such a suggestion might prompt Annesley to avenge himself in another manner, ordered Mountnorris, who was an officer, to be tried by a court-martial for mutiny and sedition against his general. The court, which consisted of the chief officers of the army, found the crime capital, and condemned that nobleman to lose his head.<sup>68</sup>

In vain did Strafford plead, in his own defence, against this article of impeachment that the sentence of Mountnorris was the deed, and that too unanimous, of the court, not the act of the deputy; that he spake not to a member of the court, nor voted in the cause, but sat uncovered as a party, and then immediately withdrew, to leave them to their freedom; that, sensible of the iniquity of the sentence, he procured his majesty's free pardon to Mountnorris; and that he did not even keep that nobleman a moment in suspense with regard to his fate, but instantly told him that he

<sup>68</sup> Rushworth, vol. iv. p. 187.

himself would sooner lose his right hand than execute such a sentence, nor was his lordship's life in any danger. In vain did Strafford's friends add, as a further apology, that Mountnorris was a man of an infamous character, who paid court by the lowest adulation to all deputies while present, and blackened their character by the vilest calumnies when recalled ; and that Strafford, expecting like treatment, had used this expedient for no other purpose than to subdue the petulant spirit of the man. These excuses alleviate the guilt ; but there still remains enough to prove that the mind of the deputy, though great and firm, had been not a little debauched by the riot of absolute power and uncontrolled authority.

When Strafford was called over to England, he found everything fallen into such confusion by the open rebellion of the Scots and the secret discontents of the English, that, if he had counselled or executed any violent measure, he might, perhaps, have been able to apologize for his conduct from the great law of necessity, which admits not, while the necessity is extreme, of any scruple, ceremony, or delay.<sup>69</sup> But, in fact, no illegal advice or action was proved against him ; and the whole amount of his guilt during this period was some peevish, or at most imperious, expressions which, amid such desperate extremities and during a bad state of health, had unhappily fallen from him.

If Strafford's apology was, in the main, so satisfactory when he pleaded to each particular article of the charge, his victory was still more decisive when he brought the whole together and repelled the imputation of treason, the crime which the Commons would infer from the full view of his conduct and behavior. Of all species of guilt, the law of England had, with the most scrupulous exactness, defined that of treason ; because on that side it was found most necessary to protect the subject against the violence of the king and of his ministers. In the famous statute of Edward III. all the kinds of treason are enumerated, and every other crime, besides such as are there expressly mentioned, is carefully excluded from that appellation. But with regard to this guilt, "an endeavor to subvert the fundamental laws," the statute of treasons is totally silent ; and arbitrarily to introduce it into the fatal catalogue is itself a subversion of all law ; and, under color of defending liberty, reverses a statute the best calculated for the security

<sup>69</sup> Rushworth, vol. iv. p. 559.

of liberty that had ever been enacted by an English Parliament.

As this species of treason, discovered by the Commons, is entirely new and unknown to the laws, so is the species of proof by which they pretend to fix that guilt upon the prisoner. They have invented a kind of *accumulative* or *constructive* evidence, by which many actions, either totally innocent in themselves or criminal in a much inferior degree, shall, when united, amount to treason, and subject the person to the highest penalties inflicted by the law. A hasty and unguarded word, a rash and passionate action, assisted by the malevolent fancy of the accuser, and tortured by doubtful constructions, is transmuted into the deepest guilt; and the lives and fortunes of the whole nation, no longer protected by justice, are subjected to arbitrary will and pleasure.

“Where has this species of guilt lain so long concealed?” said Strafford, in conclusion; “where has this fire been so long buried, during so many centuries, that no smoke should appear till it burst out at once, to consume me and my children? Better it were to live under no law at all, and, by the maxim of cautious prudence, to conform ourselves, the best we can, to the arbitrary will of a master than fancy we have a law on which we can rely, and find at last that this law shall inflict a punishment precedent to the promulgation, and try us by maxims unheard of till the very moment of the prosecution. If I sail on the Thames, and split my vessel on an anchor, in case there be no buoy to give warning, the party shall pay me damages; but if the anchor be marked out, then is the striking on it at my own peril. Where is the mark set upon this crime? where the token by which I should discover it? It has lain concealed under water; and no human prudence, no human innocence, could save me from the destruction with which I am at present threatened.

“It is now full two hundred and forty years since treasons were defined; and so long has it been since any man was touched to this extent upon this crime before myself. We have lived, my lords, happily to ourselves at home; we have lived gloriously abroad to the world. Let us be content with what our fathers have left us; let not our ambition carry us to be more learned than they were in these killing and destructive arts. Great wisdom it will be in your lordships, and just providence for yourselves, for your poster-

ities, for the whole kingdom, to cast from you into the fire these bloody and mysterious volumes of arbitrary and constructive treasons, as the primitive Christians did their books of curious arts, and betake yourselves to the plain letter of the statute, which tells you where the crime is, and points out to you the path by which you may avoid it.

“Let us not, to our own destruction, awake those sleeping lions by rattling up a company of old records, which have lain for so many ages by the wall forgotten and neglected. To all my afflictions add not this, my lords, the most severe of any—that I for my other sins, not for my treasons, be the means of introducing a precedent so pernicious to the laws and liberties of my native country.

“However, these gentlemen at the bar say they speak for the commonwealth, and they believe so; yet, under favor, it is I who, in this particular, speak for the commonwealth. Precedents like those which are endeavored to be established against me must draw along such inconveniences and miseries that, in a few years, the kingdom will be in the condition expressed in a statute of Henry IV., and no man shall know by what rule to govern his words and actions.

“Impose not, my lords, difficulties insurmountable upon ministers of state, nor disable them from serving with cheerfulness their king and country. If you examine them, and under such severe penalties, by every grain, by every little weight, the scrutiny will be intolerable. The public affairs of the kingdom must be left waste; and no wise man who has any honor or fortune to lose will ever engage himself in such dreadful, such unknown perils.

“My lords, I have now troubled your lordships a great deal longer than I should have done. Were it not for the interest of these pledges, which a saint in heaven left me, I should be loath—” Here he pointed to his children, and his weeping stopped him. “What I forfeit for myself, it is nothing; but, I confess, what my indiscretion should forfeit for them, it wounds me very deeply. You will be pleased to pardon my infirmity: something I should have said, but I see I shall not be able, and therefore I shall leave it.

“And now, my lords, I thank God I have been, by his blessing, sufficiently instructed in the extreme vanity of all temporary enjoyments compared to the importance of our eternal duration. And so, my lords, even so, with all humility, and with all tranquillity of mind, I submit, clearly



and freely, to your judgments; and whether that righteous doom shall be to life or death, I shall repose myself, full of gratitude and confidence, in the arms of the great Author of my existence.”<sup>70</sup>

“Certainly,” says Whitlocke,<sup>71</sup> with his usual candor, “never any man acted such a part, on such a theatre, with more wisdom, constancy, and eloquence, with greater reason, judgment, and temper, and with a better grace in all his words and actions, than did this great and excellent person; and he moved the hearts of all his auditors, some few excepted, to remorse and pity.” It is remarkable that the historian who expresses himself in these terms was himself chairman of that committee which conducted the impeachment against this unfortunate statesman. The accusation and defence lasted eighteen days. The managers divided the several articles among them, and attacked the prisoner with all the weight of authority, with all the vehemence of rhetoric, with all the accuracy of long preparation. Strafford was obliged to speak with deference and reserve towards his most inveterate enemies, the Commons, the Scottish nation, and the Irish Parliament. He took only a very short time, on each article, to recollect himself; yet he alone, without assistance, mixing modesty and humility with firmness and vigor, made such a defence that the Commons saw it impossible, by a legal prosecution, ever to obtain a sentence against him.

But the death of Strafford was too important a stroke of party to be left unattempted by any expedient, however extraordinary. Besides the great genius and authority of that minister, he had threatened some of the popular leaders with an impeachment; and had he not himself been suddenly prevented by the impeachment of the Commons, he had, that very day, it was thought, charged Pym, Hambden, and others with treason, for having invited the Scots to invade England. A bill of attainder was therefore brought into the lower House immediately after finishing these pleadings; and preparatory to it a new proof of the earl’s guilt was produced, in order to remove such scruples as might be entertained with regard to a method of proceeding so unusual and irregular.

Sir Henry Vane, secretary, had taken some notes of a debate in council after the dissolution of the last Parliament; and, being at a distance, he had sent the keys of

<sup>70</sup> Rushworth, vol. iv. p. 659, etc.

<sup>71</sup> Page 41.

his cabinet, as was pretended, to his son, Sir Henry, in order to search for some papers which was necessary for completing a marriage settlement. Young Vane, falling upon this paper of notes, deemed the matter of the utmost importance; and immediately communicated it to Pym, who now produced the paper before the House of Commons. The question before the council was, "Offensive or defensive war with the Scots." The king proposes this difficulty, "But how can I undertake offensive war if I have no more money?" The answer ascribed to Strafford was in these words: "Borrow of the city a hundred thousand pounds; go on vigorously to levy ship-money. Your majesty having tried the affections of your people, you are absolved and loose from all rules of government, and may do what power will admit. Your majesty, having tried all ways, shall be acquitted before God and man. And you have an army in Ireland, which you may employ to reduce *this* kingdom to obedience; for I am confident the Scots cannot hold out five months." There followed some counsels of Laud and Cottington, equally violent, with regard to the king's being absolved from all rules of government.<sup>72</sup>

This paper, with all the circumstances of its discovery and communication, was pretended to be equivalent to two witnesses, and to be an unanswerable proof of those pernicious counsels of Strafford which tended to the subversion of the laws and constitution. It was replied by Strafford and his friends that old Vane was his most inveterate and declared enemy; and if the secretary himself, as was by far most probable, had willingly delivered to his son this paper of notes, to be communicated to Pym, this implied such a breach of oaths and of trust as rendered him totally unworthy of all credit. That the secretary's deposition was at first exceedingly dubious: upon two examinations he could not remember any such words; even the third time his testimony was not positive, but imported only that Strafford had spoken such or such-like words; and words may be very like in sound, and differ much in sense; nor ought the lives of men to depend upon grammatical criticisms of any expressions, much less of those which had been delivered by the speaker without premeditation, and committed by the hearer for any time, however short, to the uncertain record of memory. That in the present case, changing *this* kingdom into *that* kingdom, a very slight alteration, the earl's

<sup>72</sup> Clarendon, vol. i. pp. 223, 229, 230, etc. Whitlocke, p. 41. May, p. 93.

discourse could regard nothing but Scotland, and implies no advice unworthy of an English councillor. That even retaining the expression *this kingdom*, the words may fairly be understood of Scotland, which alone was the kingdom that the debate regarded, and which alone had thrown off allegiance, that could be reduced to obedience. That it could be proved, as well by the evidence of all the king's ministers as by the known disposition of the forces, that the intention never was to land the Irish army in England, but in Scotland. That of six other councillors present, Laud and Windebank could give no evidence; Northumberland, Hamilton, Cottington, and Juxon could recollect no such expression; and the advice was too remarkable to be easily forgotten. That it was nowise probable such a desperate counsel would be openly delivered at the board, and before Northumberland, a person of that high rank, and whose attachments to the court were so much weaker than his connections with the country. That though Northumberland, and he alone, had recollected some such expression as that "of being absolved from rules of government," yet in such desperate extremities as those into which the king and kingdom were then fallen, a maxim of that nature, allowing it to be delivered by Strafford, may be defended upon principles the most favorable to law and liberty. And that nothing could be more iniquitous than to extract an accusation of treason from an opinion simply proposed at the council-table, where all freedom of debate ought to be permitted, and where it was not unusual for the members, in order to draw forth the sentiments of others, to propose counsels very remote from their own secret advice and judgment.<sup>73</sup>

The evidence of Secretary Vane, though exposed to such insurmountable objections, was the real cause of Strafford's unhappy fate, and made the bill of attainder pass the Commons with no greater opposition than that of fifty-nine dissenting votes. But there remained two other branches of the legislature—the King and the Lords—whose assent was requisite; and these, if left to their free judgment, it was easily foreseen, would reject the bill without scruple or deliberation. To overcome this difficulty, the popular leaders employed expedients, for which they were beholden partly to their own industry, partly to the indiscretion of their adversaries.

<sup>73</sup> Rushworth, vol. iv. p. 560.

Next Sunday after the bill passed the Commons, the puritanical pulpits resounded with declamations concerning the necessity of executing justice upon great delinquents.<sup>74</sup> The populace took the alarm. About six thousand men, armed with swords and cudgels, flocked from the city, and surrounded the Houses of Parliament.<sup>75</sup> The names of the fifty-nine Commoners who had voted against the bill of attainder were posted up under the title of "Straffordians, and betrayers of their country." These were exposed to all the insults of the ungovernable multitude. When any of the Lords passed, the cry for *justice* against Strafford resounded in their ears; and such as were suspected of friendship to that obnoxious minister were sure to meet with menaces not unaccompanied with symptoms of the most desperate resolutions in the furious populace.<sup>76</sup>

Complaints in the House of Commons being made against these violences, as the most flagrant breach of privilege, the ruling members, by their affected coolness and indifference, showed plainly that the popular tumults were not disagreeable to them.<sup>77</sup> But a new discovery, made about this time, served to throw everything into still greater flame and combustion.

Some principal officers—Piercy, Jermyn, O'Neale, Goring, Wilmot, Pollard, Ashburnham—partly attached to the court, partly disgusted with the Parliament, had formed a plan of engaging into the king's service the English army, whom they observed to be displeased at some marks of preference given by the Commons to the Scots. For this purpose, they entered into an association, took an oath of secrecy, and kept a close correspondence with some of the king's servants. The form of a petition to the king and Parliament was concerted; and it was intended to get this petition subscribed by the army. The petitioners there represent the great and unexampled concessions made by the king for the security of public peace and liberty; the endless demands of certain insatiable and turbulent spirits, whom nothing less will content than a total subversion of the ancient constitution; the frequent tumults which these factious malcontents had excited, and which endangered the liberty of Parliament. To prevent these mischiefs, the army offered to come up and guard that assembly. "So

<sup>74</sup> Whitlocke, p. 43.

<sup>76</sup> Clarendon, vol. i. pp. 232, 256. Rushworth, vol. v. pp. 248, 1279.

<sup>77</sup> Whitlocke, ut supra.

<sup>75</sup> Ibid.



shall the nation," as they express themselves in the conclusion, "not only be vindicated from preceding innovations, but be secured from the future, which are threatened, and which are likely to produce more dangerous effects than the former."<sup>78</sup> The draught of this petition being conveyed to the king, he was prevailed on somewhat imprudently to countersign it himself as a mark of his approbation. But as several difficulties occurred, the project was laid aside two months before any public discovery was made of it.

It was Goring who betrayed the secret to the popular leaders. The alarm may easily be imagined which this intelligence conveyed. Petitions from the military to the civil power are always looked on as disguised, or rather undisguised, commands; and are of a nature widely different from petitions presented by any other rank of men. Pym opened the matter in the House.<sup>79</sup> On the first intimation of a discovery, Piercy concealed himself, and Jermyn withdrew beyond sea. This further confirmed the suspicion of a dangerous conspiracy. Goring delivered his evidence before the House. Piercy wrote a letter to his brother Northumberland, confessing most of the particulars.<sup>80</sup> Both their testimonies agree with regard to the oath of secrecy; and, as this circumstance had been denied by Pollard, Ashburnham, and Wilmot, in all their examinations, it was regarded as a new proof of some desperate resolutions which had been taken.

To convey more quickly the terror and indignation at this plot, the Commons voted that a protestation should be signed by all the members. It was sent up to the Lords, and signed by all of them, except Southampton and Robarts. Orders were given by the Commons alone, without other authority, that it should be subscribed by the whole nation. The protestation was in itself very inoffensive, even insignificant, and contained nothing but general declarations that the subscribers would defend their religion and liberties;<sup>81</sup> but it tended to increase the popular panic, and intimated, what was more expressly declared in the preamble, that these blessings were now exposed to the utmost peril.

Alarms were every day given of new conspiracies.<sup>82</sup> In Lancashire, great multitudes of Papists were assembling; secret meetings were held by them in caves and under-

<sup>78</sup> Clarendon, vol. i. p. 247. Whitlocke, p. 43. <sup>79</sup> Rushworth, vol. v. p. 240.

<sup>80</sup> Rushworth, vol. v. p. 255.

<sup>81</sup> Clarendon, vol. i. p. 252. Rushworth, vol. v. p. 241. Warwick, p. 180.

<sup>82</sup> Dugdale, p. 69. Franklyn, p. 901.

ground, in Surrey ; they had entered into a plot to blow up the river with gunpowder, in order to drown the city ;<sup>83</sup> provisions of arms were making beyond sea ; sometimes France, sometimes Denmark, was forming designs against the kingdom ; and the populace, who are always terrified with present, and enraged with distant dangers, were still further animated in their demands of justice against the unfortunate Strafford.

The king came to the House of Lords ; and, though he expressed his resolution—for which he offered them any security—never again to employ Strafford in any branch of public business, he professed himself totally dissatisfied with regard to the circumstance of treason, and on that account declared his difficulty in giving his assent to the bill of attainder.<sup>84</sup> The Commons took fire, and voted it a breach of privilege for the king to take notice of any bill depending before the Houses. Charles did not perceive that his attachment to Strafford was the chief motive for the bill ; and that the greater proofs he gave of anxious concern for this minister, the more inevitable did he render his destruction.

About eighty peers had constantly attended Strafford's trial ; but such apprehensions were entertained on account of the popular tumults that only forty-five were present when the bill of attainder was brought into the House, yet, of these, nineteen had the courage to vote against it<sup>85</sup>—a certain proof that if entire freedom had been allowed, the bill had been rejected by a great majority.

In carrying up the bill to the Lords, St. John, the solicitor-general, advanced two topics well suited to the fury of the times : that though the testimony against Strafford were not clear, yet, in this way of bill, private satisfaction to each man's conscience was sufficient, even should no evidence at all be produced ; and that the earl had no title to plead law, because he had broken the law. "It is true," added he, "we give law to hares and deer ; for they are beasts of chase. But it was never accounted either cruel or unfair to destroy foxes or wolves wherever they can be found, for they are beasts of prey."<sup>86</sup>

After popular violence had prevailed over the Lords the same battery was next applied to force the king's assent. The populace flocked about Whitehall, and accompanied their demand of justice with the loudest clamors and most

<sup>83</sup> Sir Edward Walker, p. 349.

<sup>86</sup> Whitlocke, p. 43.

<sup>84</sup> Rushworth, vol. v. p. 239.

<sup>86</sup> Clarendon, vol. i. p. 232.

open menaces. Rumors of conspiracies against the Parliament were anew spread abroad; invasions and insurrections talked of; and the whole nation was raised into such a ferment as threatened some great and imminent convulsion. On whichever side the king cast his eyes, he saw no resource or security. All his servants, consulting their own safety rather than their master's honor, declined interposing with their advice between him and his Parliament. The queen, terrified with the appearance of so mighty a danger, and bearing formerly no good-will to Strafford, was in tears, and pressed him to satisfy his people in this demand, which, it was hoped, would finally content them. Juxon alone, whose courage was not inferior to his other virtues, ventured to advise him, if in his conscience he did not approve of the bill, by no means to assent to it.<sup>87</sup>

Strafford, hearing of Charles's irresolution and anxiety, took a very extraordinary step. He wrote a letter, in which he entreated the king, for the sake of public peace, to put an end to his unfortunate, however innocent, life, and to quiet the tumultuous people by granting them the request for which they were so importunate.<sup>88</sup> "In this," added he, "my consent will more acquit you to God than all the world can do besides. To a willing man there is no injury. And as, by God's grace, I forgive all the world with a calmness and meekness of infinite contentment to my dislodging soul, so, sir, to you I can resign the life of this world with all imaginable cheerfulness, in the just acknowledgment of your exceeding favors." Perhaps Strafford hoped that this unusual instance of generosity would engage the king still more strenuously to protect him. Perhaps he gave his life for lost; and, finding himself in the hands of his enemies, and observing that Balfour, the lieutenant of the Tower, was devoted to the popular party,<sup>89</sup> he absolutely despaired of ever escaping the multiplied dangers with which he was every way environed. We might ascribe this step to a noble effort of disinterestedness, not unworthy the great mind of Strafford, if the measure which he advised had not been, in the event, as pernicious to his master as it was immediately fatal to himself.<sup>90</sup>

After the most violent anxiety and doubt, Charles at last granted a commission to four noblemen to give the royal as-

<sup>87</sup> Clarendon, vol. i. p. 257. Warwick, p. 160.

<sup>88</sup> Clarendon, vol. i. p. 258. Rushworth, vol. v. p. 251.

<sup>89</sup> Whitlocke, p. 44. Franklyn, p. 896.

<sup>90</sup> See note [R] at end of the volume.

sent, in his name, to the bill; flattering himself, probably, in this extremity of distress, that, as neither his will consented to the deed, nor was his hand immediately engaged in it, he was the more free from all the guilt which attended it. These commissioners he empowered, at the same time, to give his assent to the bill which rendered the Parliament perpetual.

The Commons, from policy rather than necessity, had embraced the expedient of paying the two armies by borrowing money from the city; and these loans they had repaid afterwards by taxes levied upon the people. The citizens, either of themselves or by suggestion, began to start difficulties with regard to a further loan that was demanded. We make no scruple of trusting the Parliament, said they, were we certain that the Parliament were to continue till our repayment. But in the present precarious situation of affairs, what security can be given us for our money? In pretence of obviating this objection, a bill was suddenly brought into the House, and passed with great unanimity and rapidity, that the Parliament should not be dissolved, prorogued, or adjourned, without their own consent. It was hurried in like manner through the House of Peers, and was instantly carried to the king for his assent. Charles, in the agony of grief, shame, and remorse for Strafford's doom, perceived not that this other bill was of still more fatal consequence to his authority, and rendered the power of his enemies perpetual, as it was already uncontrollable.<sup>91</sup> In comparison of the bill of attainder, by which he deemed himself an accomplice in his friend's murder, this concession made no figure in his eyes<sup>92</sup>—a circumstance which, if it lessen our idea of his resolution or penetration, serves to prove the integrity of his heart and the goodness of his disposition. It is, indeed, certain that strong compunction for his consent to Strafford's execution attended this unfortunate prince during the remainder of his life; and even at his own fatal end the memory of this guilt, with great sorrow and remorse, recurred upon him. All men were so sensible of the extreme violence which was done him that he suffered the less both in character and interest from this unhappy measure; and, though he abandoned his best friend, yet was he still able to preserve in some degree the attachment of all his adherents.

<sup>91</sup> Clarendon, vol. i. pp. 261, 262. Rushworth, vol. v. p. 264.

<sup>92</sup> See note [S] at the end of the volume.



Secretary Carleton was sent by the king to inform Strafford of the final resolution which necessity had extorted from him. The earl seemed surprised, and, starting up, exclaimed, in the words of the Scripture, "Put not your trust in princes, nor in the sons of men; for in them there is no salvation."<sup>93</sup> He was soon able, however, to collect his courage; and he prepared himself to suffer the fatal sentence. Only three days' interval was allowed him. The king, who made a new effort in his behalf, and sent, by the hands of the young prince, a letter addressed to the Peers, in which he entreated them to confer with the Commons about a mitigation of Strafford's sentence, and begged at least for some delay, was refused in both requests.<sup>94</sup>

Strafford, in passing from his apartment to Tower-hill, where the scaffold was erected, stopped under Laud's windows, with whom he had long lived in intimate friendship, and entreated the assistance of his prayers in those awful moments which were approaching. The aged primate dissolved in tears; and having pronounced, with broken voice, a tender blessing on his departed friend, sank into the arms of his attendants.<sup>95</sup> Strafford, still superior to his fate, moved on with an elated countenance, and with an air even of greater dignity than what usually attended him. He wanted that consolation which commonly supports those who perish by the stroke of injustice and oppression. He was not buoyed up by glory, nor by the affectionate compassion of the spectators. Yet his mind, erect and undaunted, found resources within itself, and maintained its unbroken resolution amid the terrors of death and the triumphant exultations of his misguided enemies. His discourse on the scaffold was full of decency and courage. "He feared," he said, "that the omen was bad for the intended reformation of the state—that it commenced with the shedding of innocent blood." Having bid a last adieu to his brother and friends who attended him, and having sent a blessing to his nearer relations who were absent, "And now," said he, "I have nigh done. One stroke will make my wife a widow, my dear children fatherless, deprive my poor servants of their indulgent master, and separate me from my affectionate brother and all my friends. But let God be to you and them all in all!" Going to disrobe and prepare himself for the block, "I thank God," said he, "that I am nowise afraid of death, nor am daunted

<sup>93</sup> Whitlocke, p. 44.

<sup>95</sup> Nalson, vol. ii. p. 198.

<sup>94</sup> Rushworth, vol. v. p. 265.

with any terrors ; but do as cheerfully lay down my head at this time as ever I did when going to repose." With one blow was a period put to his life by the executioner.<sup>96</sup>

Thus perished, in the forty-ninth year of his age, the Earl of Strafford, one of the most eminent personages that has appeared in England. Though his death was loudly demanded as a satisfaction to justice and an atonement for the many violations of the constitution, it may safely be affirmed that the sentence by which he fell was an enormity greater than the worst of those which his implacable enemies prosecuted with so much cruel industry. The people, in their rage, had totally mistaken the proper object of their resentment. All the necessities, or, more properly speaking, the difficulties, by which the king had been induced to use violent expedients for raising supply, were the result of measures previous to Strafford's favor ; and if they arose from ill conduct, he, at least, was entirely innocent. Even those violent expedients themselves, which occasioned the complaint that the constitution was subverted, had been, all of them, conducted, so far as appeared, without his counsel or assistance. And whatever his private advice might be,<sup>97</sup> this salutary maxim he failed not often and publicly to inculcate in the king's presence, that if any inevitable necessity ever obliged the sovereign to violate the laws, this license ought to be practised with extreme reserve, and, as soon as possible, a just atonement be made to the constitution for any injury which it might sustain from such dangerous precedents.<sup>98</sup> The first Parliament after the Restoration reversed the bill of attainder ; and even a few weeks after Strafford's execution this very Parliament remitted to his children the more severe consequences of his sentence, as if conscious of the violence with which the prosecution had been conducted.

In vain did Charles expect, as a return for so many instances of unbounded compliance, that the Parliament would at last show him some indulgence, and would cordially fall into that unanimity to which, at the expense of his own power and of his friend's life, he so earnestly courted them. All his concessions were poisoned by their suspicion of his want of cordiality ; and the supposed attempt to engage the

<sup>96</sup> Rushworth, vol. v. p. 267.

<sup>97</sup> That Strafford was secretly no enemy to arbitrary counsels, appears from some of his letters and despatches, particularly vol. ii. p. 60, where he seems to wish that a standing army were established.

<sup>98</sup> Rushworth, vol. iv. pp. 567, 568, 569, 570.

army against them served with many as a confirmation of this jealousy. It was natural for the king to seek some resource while all the world seemed to desert him or combine against him; and this probably was the utmost of that embryo scheme which was formed with regard to the army. But the popular leaders still insisted that a desperate plot was laid to bring up the forces immediately and offer violence to the Parliament—a design of which Piercy's evidence acquits the king, and which the near neighborhood of the Scottish army seems to render absolutely impracticable.<sup>99</sup> By means, however, of these suspicions was the same implacable spirit still kept alive; and the Commons, without giving the king any satisfaction in the settlement of his revenue, proceeded to carry their inroads with great vigor into his now defenceless prerogative.<sup>10</sup>

The two ruling passions of this Parliament were zeal for liberty and an aversion to the Church; and to both of these nothing could appear more exceptionable than the court of high commission, whose institution rendered it entirely arbitrary, and assigned to it the defence of the ecclesiastical establishment. The Star-chamber also was a court which exerted high discretionary powers, and had no precise rule or limit, either with regard to the causes which came under its jurisdiction or the decisions which it formed. A bill unanimously passed the Houses to abolish these two courts, and in them to annihilate the principal and most dangerous articles of the king's prerogative. By the same bill the jurisdiction of the council was regulated and its authority abridged.<sup>101</sup> Charles hesitated before he gave his assent. But finding that he had gone too far to retreat, and that he possessed no resource in case of a rupture, he at last affixed the royal sanction to this excellent bill. But to show the Parliament that he was sufficiently apprised of the importance of his grant, he observed to them that this statute altered in a great measure the fundamental laws, ecclesiastical and civil, which many of his predecessors had established.<sup>102</sup>

<sup>99</sup> The project of bringing up the army to London, according to Piercy, was proposed to the king; but he rejected it as foolish, because the Scots, who were in arms, and lying in their neighborhood, must be at London as soon as the English army. This reason is so solid and convincing that it leaves no room to doubt of the veracity of Piercy's evidence, and consequently acquits the king of this terrible plot of bringing up the army, which made such a noise at the time, and was a pretence for so many violences.

<sup>100</sup> Clarendon, vol. i. p. 266.

<sup>101</sup> Clarendon, vol. i. pp. 283, 284. Whitlocke, p. 47. Rushworth, vol. iii. pp. 1383, 1384.

<sup>102</sup> Rushworth, vol. v. p. 307.

By removing the Star-chamber, the king's power of binding the people by his proclamations was indirectly abolished; and that important branch of prerogative, the strong symbol of arbitrary power, and unintelligible in a limited constitution, being at last removed, left the system of government more consistent and uniform. The Star-chamber alone was accustomed to punish infractions of the king's edicts; but as no courts of judicature now remained, except those in Westminster Hall, which take cognizance only of common and statute law, the king may thenceforth issue proclamations, but no man is bound to obey them. It must, however, be confessed, that the experiment here made by the Parliament was not a little rash and adventurous. No government at that time appeared in the world, nor is perhaps to be found in the records of any history, which subsisted without the mixture of some arbitrary authority committed to some magistrate; and it might reasonably, beforehand, appear doubtful whether human society could ever reach that state of perfection as to support itself with no other control than the general and rigid maxims of law and equity. But the Parliament justly thought that the king was too eminent a magistrate to be trusted with discretionary power, which he might so easily turn to the destruction of liberty. And in the event it has hitherto been found that though some sensible inconveniences arise from the maxim of adhering strictly to law, yet the advantages overbalance them, and should render the English grateful to the memory of their ancestors, who, after repeated contests, at last established that noble though dangerous principle.

At the request of the Parliament, Charles, instead of the patents during pleasure, gave all the judges patents during their good behavior;<sup>103</sup> a circumstance of the greatest moment towards securing their independence, and barring the entrance of arbitrary power into the ordinary courts of judicature.

The marshal's court, which took cognizance of offensive words, and was not thought sufficiently limited by law, was also, for that reason, abolished.<sup>104</sup> The stannary courts, which exercised jurisdiction over the miners, being liable to a like objection, underwent a like fate. The abolition of the Council of the North and the Council of Wales followed from the same principles. The authority of the clerk of the market, who had a general inspection over the weights

<sup>103</sup> May, p. 107.

<sup>104</sup> Nalson, vol. i. p. 778.



and measures throughout the kingdom, was transferred to the mayors, sheriffs, and ordinary magistrates.

In short, if we take a survey of the transactions of this memorable Parliament during the first period of its operations, we shall find that, excepting Strafford's attainder, which was a complication of cruel iniquity, their merits in other respects so much overweigh their mistakes as to entitle them to praise from all lovers of liberty. Not only were former abuses remedied and grievances redressed—great provision for the future was made by law against the return of like complaints. And if the means by which they obtained such advantages savor often of artifice, sometimes of violence, it is to be considered that revolutions of government cannot be effected by the mere force of argument and reasoning, and that factions, being once excited, men can neither so firmly regulate the tempers of others, nor their own, as to ensure themselves against all exorbitances.

The Parliament now came to a pause. The king had promised his Scottish subjects that he would this summer pay them a visit, in order to settle their government; and though the English Parliament was very importunate with him, that he should lay aside that journey, they could not prevail with him so much as to delay it. As he must necessarily in his journey have passed through the troops of both nations, the Commons seem to have entertained great jealousy on that account, and to have now hurried on, as much as they formerly delayed, the disbanding of the armies. The arrears, therefore, of the Scots, were fully paid them, and those of the English in part. The Scots returned home, and the English were separated into their several counties, and dismissed.

After this the Parliament adjourned to the 20th of October; and a committee of both Houses, a thing unprecedented, was appointed to sit during the recess with very ample powers.<sup>105</sup> Pym was elected chairman of the committee of the lower House. Further attempts were made by the Parliament, while it sat, and even by the Commons alone, for assuming sovereign executive powers and publishing their ordinances, as they called them, instead of laws. The committee, too, on their part, was ready to imitate the example.

A small committee of both Houses was appointed to attend the king into Scotland, in order, as was pretended,

<sup>105</sup> Rushworth, vol. v. p. 387.

to see that the articles of pacification were executed, but really to be spies upon him, and extend still further the ideas of parliamentary authority, as well as eclipse the majesty of the king. The Earl of Bedford, Lord Howard, Sir Philip Stapleton, Sir William Armyne, Fiennes, and Hambden were the persons chosen.<sup>106</sup>

Endeavors were used, before Charles's departure, to have a protector of the kingdom appointed, with a power to pass laws without having recourse to the king. So little regard was now paid to royal authority or to the established constitution of the kingdom.

Amid the great variety of affairs which occurred during this busy period, we have almost overlooked the marriage of the Princess Mary with William, Prince of Orange. The king concluded not this alliance without communicating his intentions to the Parliament, who received the proposal with satisfaction.<sup>107</sup> This was the commencement of the connections with the family of Orange; connections which were afterwards attended with the most important consequences, both to the kingdom and to the house of Stuart.

<sup>106</sup> Rushworth, vol. v. p. 376.

<sup>107</sup> Whitlocke, p. 38.

## CHAPTER LV.

SETTLEMENT OF SCOTLAND.—CONSPIRACY IN IRELAND.—INSURRECTION AND MASSACRE.—MEETING OF THE ENGLISH PARLIAMENT.—THE REMONSTRANCE.—REASONS ON BOTH SIDES.—IMPEACHMENT OF THE BISHOPS.—ACCUSATION OF THE FIVE MEMBERS.—TUMULTS.—KING LEAVES LONDON.—ARRIVES IN YORK.—PREPARATIONS FOR CIVIL WAR.

[1641.] THE Scots, who began these fatal commotions, thought that they had finished a very perilous undertaking, much to their profit and reputation. Besides the large pay voted them for lying in good quarters during a twelve-month, the English Parliament had conferred on them a present of three hundred thousand pounds for their brotherly assistance.<sup>1</sup> In the articles of pacification they were declared to have ever been good subjects, and their military expeditions were approved of as enterprises calculated and intended for his majesty's honor and advantage. To carry further their triumph over their sovereign, these terms, so ignominious to him, were ordered, by a vote of Parliament, to be read in all churches upon a day of thanksgiving appointed for the national pacification;<sup>2</sup> all their claims for the restriction of prerogative were agreed to be ratified; and, what they more valued than all these advantages, they had a near prospect of spreading the Presbyterian discipline in England and Ireland, from the seeds which they had scattered of their religious principles. Never did refined Athens so exult in diffusing the sciences and liberal arts over a savage world, never did generous Rome so please herself in the view of law and order established by her victorious arms, as the Scots now rejoiced in communicating their barbarous zeal and theological fervor to the neighboring nations.

Charles, despoiled in England of a considerable part of his authority, and dreading still further encroachments

<sup>1</sup> Nalson, vol. i. p. 747. May, p. 104.

<sup>2</sup> Rushworth, vol. v. p. 365. Clarendon, vol. ii. p. 293.

upon him, arrived in Scotland with an intention of abdicating almost entirely the small share of power which *there* remained to him, and of giving full satisfaction, if possible, to his restless subjects in that kingdom.

The lords of articles were an ancient institution in the Scottish Parliament. They were constituted after this manner: The temporal lords chose eight bishops; the bishops elected eight temporal lords; these sixteen named eight commissioners of counties and eight burgesses; and without the previous consent of the thirty-two who were denominated lords of articles, no motion could be made in Parliament. As the bishops were entirely devoted to the court, it is evident that all the lords of articles, by necessary consequence, depended on the king's nomination; and the prince, besides one negative after the bills had passed through Parliament, possessed indirectly another before their introduction—a prerogative of much greater consequence than the former. The bench of bishops being now abolished, the Parliament laid hold of the opportunity, and totally set aside the lords of articles; and, till this important point was obtained, the nation, properly speaking, could not be said to enjoy any regular freedom.<sup>3</sup>

It is remarkable that, notwithstanding this institution, to which there was no parallel in England, the royal authority was always deemed much lower in Scotland than in the former kingdom. Bacon represents it as one advantage to be expected from the union, that the too extensive prerogative of England would be abridged by the example of Scotland, and the too narrow prerogative of Scotland be enlarged from the imitation of England. The English were, at that time, a civilized people, and obedient to the laws; but among the Scots it was of little consequence how the laws were framed, or by whom voted, while the exorbitant aristocracy had it so much in their power to prevent their regular execution.

The Peers and Commons formed only one House in the Scottish Parliament; and as it had been the practice of James, continued by Charles, to grace English gentlemen with Scottish titles, all the determinations of Parliament, it was to be feared, would in time depend upon the prince, by means of these votes of foreigners, who had no interest or property in the nation. It was therefore a law deserving approbation that no man should be created a Scotch peer

<sup>3</sup> Burnet, Memoir.



who possessed not ten thousand marks (above five hundred pounds) of annual rent in the kingdom.<sup>4</sup>

A law for triennial parliaments was likewise passed ; and it was ordained that the last act of every Parliament should be to appoint the time and place for holding the Parliament next ensuing.<sup>5</sup>

The king was deprived of that power formerly exercised, of issuing proclamations which enjoined obedience under the penalty of treason—a prerogative which invested him with the whole legislative authority, even in matters of the highest importance.<sup>6</sup>

So far was laudable ; but the most fatal blow given to royal authority, and what in a manner dethroned the prince, was the article that no member of the privy council in whose hands, during the king's absence, the whole administration lay, no officer of state, none of the judges, should be appointed but by advice and approbation of Parliament. Charles even agreed to deprive of their seats four judges who had adhered to his interests ; and their place was supplied by others more agreeable to the ruling party. Several of the Covenanters were also sworn of the privy council ; and all the ministers of state, councillors, and judges were, by law, to hold their places during life or good behavior.<sup>7</sup>

The king, while in Scotland, conformed himself entirely to the Established Church, and assisted with great gravity at the long prayers and longer sermons with which the Presbyterians endeavored to regale him. He bestowed pensions and preferments on Henderson, Gillespy, and other popular preachers, and practised every art to soften, if not to gain, his greatest enemies. The Earl of Argyle was created a marquis, Lord Loudon an earl, Lesley was dignified with the title of Earl of Leven.<sup>8</sup> His friends he was obliged, for the present, to neglect and overlook. Some of them were disgusted ; and his enemies were not reconciled, but ascribed all his caresses and favors to artifice and necessity.

Argyle and Hamilton, being seized with an apprehension, real or pretended, that the Earl of Crawford and others meant to assassinate them, left the Parliament suddenly and retired into the country ; but, upon invitation and assurances, returned in a few days. This event, which had neither cause nor effect that was visible, nor purpose nor consequence, was commonly denominated the *incident*.

<sup>4</sup> Burnet, Memoir.

<sup>5</sup> Clarendon, vol. ii. p. 309.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

But though the incident had no effect in Scotland, what was not expected, it was attended with consequences in England. The English Parliament, which was now assembled, being willing to awaken the people's tenderness by exciting their fears, immediately took the alarm; as if the malignants—so they called the king's party—had laid a plot at once to murder them, and all the godly in both kingdoms. They applied, therefore, to Essex, whom the king had left general in the south of England, and he ordered a guard to attend them.<sup>9</sup>

But while the king was employed in pacifying the commotions in Scotland, and was preparing to return to England, in order to apply himself to the same salutary work in that kingdom, he received intelligence of a dangerous rebellion broken out in Ireland, with circumstances of the utmost horror, bloodshed, and devastation. On every side this unfortunate prince was pursued with murmurs, discontent, faction, and civil wars; and the fire from all quarters, even by the most independent accidents, at once blazed up about him.

The great plan of James, in the administration of Ireland, continued by Charles, was, by justice and peace, to reconcile that turbulent people to the authority of laws, and introducing art and industry among them, to cure them of that sloth and barbarism to which they had ever been subject. In order to serve both these purposes, and at the same time secure the dominion of Ireland to the English crown, great colonies of British had been carried over, and, being intermixed with the Irish, had everywhere introduced a new face of things into that country. During a peace of near forty years, the inveterate quarrels between the nations seemed, in a great measure, to be obliterated; and though much of the landed property, forfeited by rebellion, had been conferred on the new planters, a more than equal return had been made by their instructing the natives in tillage, building, manufactures, and all the civilized arts of life.<sup>10</sup> This had been the course of things during the successive administrations of Chichester, Grandison, Falkland, and, above all, of Strafford. Under the government of this latter nobleman, the pacific plans now come to greater maturity, and, forwarded by his vigor and industry, seemed to

<sup>9</sup> Whitlocke, p. 40. Dugdale, p. 72. Burnet's *Memoirs of the House of Hamilton*, pp. 184, 185. Clarendon, p. 299.

<sup>10</sup> Sir John Temple's *Irish Rebellion*, p. 12.

have operated with full success, and to have bestowed at last on that savage country the face of a European settlement.

After Strafford fell a victim to popular rage, the humors excited in Ireland by that great event could not be suddenly composed, but continued to produce the greatest innovations in the government.

The British Protestants, transplanted into Ireland, having every moment before their eyes all the horrors of popery, had naturally been carried into the opposite extreme, and had universally adopted the highest principles and practices of the Puritans. Monarchy, as well as the hierarchy, was become odious to them; and every method of limiting the authority of the crown and detaching themselves from the King of England was greedily adopted and pursued. They considered not that, as they scarcely formed the sixth part of the people and were secretly obnoxious to the ancient inhabitants, their only method of supporting themselves was by maintaining royal authority and preserving a great dependence on their mother country. The English Commons, likewise, in their furious prosecution of Strafford, had overlooked the most obvious consequences; and while they imputed to him as a crime every discretionary act of authority, they despoiled all succeeding governors of that power by which alone the Irish could be retained in subjection. And so strong was the current for popular government in all the three kingdoms that the most established maxims of policy were everywhere abandoned in order to gratify this ruling passion.

Charles, unable to resist, had been obliged to yield to the Irish, as to the Scottish and English parliaments; and found, too, that their encroachments still rose in proportion to his concessions. Those subsidies which themselves had voted they reduced by a subsequent vote to a fourth part. The court of high commission was determined to be a grievance; martial law abolished; the jurisdiction of the council annihilated; proclamations and acts of state declared of no authority; every order or institution, which depended on monarchy, was invaded; and the prince was despoiled of all his prerogative, without the least pretext of any violence or illegality in his administration.

The standing army of Ireland was usually about three thousand men; but in order to assist the king in suppressing the Scottish Covenanters, Strafford had raised eight

thousand more, and had incorporated with them a thousand men drawn from the old army—a necessary expedient for bestowing order and discipline on the new-levied soldiers. The private men in this army were all Catholics; but the officers, both commissioned and non-commissioned, were Protestants, and could entirely be depended on by Charles. The English Commons entertained the greatest apprehensions on account of this army, and never ceased soliciting the king till he agreed to break it; nor would they consent to any proposal for augmenting the standing army to five thousand men, a number which the king deemed necessary for retaining Ireland in obedience.

Charles, thinking it dangerous that eight thousand men accustomed to idleness and trained to the use of arms should be dispersed among a nation so turbulent and unsettled, agreed with the Spanish ambassador to have them transported into Flanders, and enlisted in his master's service. The English Commons, pretending apprehensions lest regular bodies of troops, disciplined in the Low Countries, should prove still more dangerous, showed some aversion to this expedient, and the king reduced his allowance to four thousand men. But when the Spaniards had hired ships for transporting these troops and the men were ready to embark, the Commons, willing to show their power, and not displeased with an opportunity of curbing and affronting the king, prohibited every one from furnishing vessels for that service; and thus the project formed by Charles of freeing the country from these men was unfortunately disappointed.<sup>11</sup>

The old Irish remarked all these false steps of the English and resolved to take advantage of them. Though their animosity against that nation, for want of an occasion to exert itself, seemed to be extinguished, it was only composed into a temporary and deceitful tranquillity.<sup>12</sup> Their interests both with regard to *property* and *religion* secretly stimulated them to a revolt. No individual of any sept, according to the ancient customs, had the property of any particular estate; but as the whole sept had a title to a whole territory, they ignorantly preferred this barbarous community before the more secure and narrower possessions assigned them by the English. An indulgence amounting almost to a toleration had been given to the Catholic religion; but so

<sup>11</sup> Clarendon, vol. i. p. 281. Rushworth vol. v. p. 381. Dugdale, p. 75. May, bk. ii. p. 3.

<sup>12</sup> Temple, p. 14.



long as the churches and the ecclesiastical revenues were kept from the priests, and they were obliged to endure the neighborhood of profane heretics, being themselves discontented, they continually endeavored to retard any cordial reconciliation between the English and the Irish nations.

There was a gentleman called Roger More, who, though of a narrow fortune, was descended from an ancient Irish family, and was much celebrated among his countrymen for valor and capacity. This man first formed the project of expelling the English, and asserting the independence of his native country.<sup>13</sup> He secretly went from chieftain to chieftain, and roused up every latent principle of discontent. He maintained a close correspondence with Lord Maguire and Sir Phelim O'Neale, the most powerful of the old Irish. By conversation, by letters, by his emissaries, he represented to his countrymen the motives of a revolt. He observed to them that by the rebellion of the Scots and factions of the English the king's authority in Britain was reduced to so low a condition that he never could exert himself with any vigor in maintaining the English dominion over Ireland; that the Catholics in the Irish House of Commons, assisted by the Protestants, had so diminished the royal prerogative and the power of the lieutenant as would much facilitate the conducting to its desired effect any conspiracy or combination which could be formed; that the Scots, having so successfully thrown off dependence on the crown of England, and assumed the government into their own hands, had set an example to the Irish, who had so much greater oppressions to complain of; that the English planters who had expelled them their possessions, suppressed their religion, and bereaved them of their liberties, were but a handful in comparison of the natives; that they lived in the most supine security, interspersed with their numerous enemies, trusting to the protection of a small army, which was itself scattered in inconsiderable divisions throughout the whole kingdom; that a great body of men, disciplined by the government, were now thrown loose, and were ready for any daring or desperate enterprise; that though the Catholics had hitherto enjoyed in some tolerable measure the exercise of their religion from the moderation of their indulgent prince, they must henceforth expect that the government will be conducted by other maxims and other principles; that the puritanical Parliament, having at length

<sup>13</sup> Nalson, vol. ii. p. 543.

subdued their sovereign, would, no doubt, as soon as they had consolidated their authority, extend their ambitious enterprises to Ireland, and make the Catholics in that kingdom feel the same furious persecution to which their brethren in England were at present exposed; and that a revolt in the Irish, tending only to vindicate their native liberty against the violence of foreign invaders, could never, at any time, be deemed rebellion; much less during the present confusions, when their prince was, in a manner, a prisoner, and obedience must be paid not to him, but to those who had traitorously usurped his lawful authority.<sup>14</sup>

By these considerations, More engaged all the heads of the native Irish into the conspiracy. The English of the Pale, as they were called, or the old English planters, being all Catholics, it was hoped, would afterwards join the party which restored their religion to its ancient splendor and authority. The intention was that Sir Phelim O'Neale and the other conspirators should begin an insurrection on one day throughout the provinces, and should attack all the English settlements; and that, on the same day, Lord Maguire and Roger More should surprise the castle of Dublin. The commencement of the revolt was fixed on the approach of winter, that there might be more difficulty in transporting forces from England. Succors to themselves and supplies of arms they expected from France, in consequence of a promise made them by Cardinal Richelieu; and many Irish officers, who served in the Spanish troops, had engaged to join them as soon as they saw an insurrection entered upon by their Catholic brethren. News, which every day arrived from England, of the fury expressed by the Commons against all Papists, struck fresh terror into the Irish nation, and both stimulated the conspirators to execute their fatal purpose and gave them assured hopes of the concurrence of all their countrymen.<sup>15</sup>

Such propensity to a revolt was discovered in all the Irish that it was deemed unnecessary, as it was dangerous, to intrust the secret to many hands; and the appointed day drew nigh, nor had any discovery been yet made to the government. The king, indeed, had received information from his ambassadors that something was in agitation among the Irish in foreign parts; but, though he gave warning to the administration in Ireland, the intelligence was entirely neg-

<sup>14</sup> Temple, pp. 72, 73, 78. Dugdale, p. 73.

<sup>15</sup> Dugdale, p. 74.

lected.<sup>16</sup> Secret rumors likewise were heard of some approaching conspiracy ; but no attention was paid to them. The Earl of Leicester, whom the king had appointed lieutenant, remained in London. The two justices, Sir William Parsons and Sir John Borlace, were men of small abilities ; and by an inconvenience common to all factious times, owed their advancement to nothing but their zeal for the party by whom everything was now governed. Tranquil from their ignorance and inexperience, those men indulged themselves in the most profound repose, on the very brink of destruction.

But they were awakened from their security on the very day before that which was appointed for the commencement of hostilities. The castle of Dublin, by which the capital was commanded, contained arms for ten thousand men, with thirty-five pieces of cannon, and a proportionable quantity of ammunition ; yet was this important place guarded, and that too without any care, by no greater force than fifty men. Maguire and More were already in town with a numerous band of their partisans ; others were expected that night ; and next morning they were to enter upon, what they esteemed the easiest of all enterprises, the surprisal of the castle. O'Connolly, an Irishman, but a Protestant, betrayed the conspiracy to Parsons.<sup>17</sup> The justices and council fled immediately for safety into the castle, and reinforced the guards. The alarm was conveyed to the city, and all the Protestants prepared for defence. More escaped ; Maguire was taken ; and Mahone, one of the conspirators, being likewise seized, first discovered to the justices the project of a general insurrection, and redoubled the apprehensions which already were universally diffused throughout Dublin.<sup>18</sup>

But though O'Connolly's discovery saved the castle from a surprise, the confession extorted from Mahone came too late to prevent the intended insurrection. O'Neale and his confederates had already taken arms in Ulster. The Irish, everywhere intermingled with the English, needed but a hint from their leaders and priests to begin hostilities against a people whom they hated on account of their religion, and envied for their riches and prosperity.<sup>19</sup> The houses, cattle, goods, of the unwary English were first seized. Those who heard of the commotions in their neighborhood, instead of

<sup>16</sup> Rushworth, vol. v. p. 408. Nalson, vol. ii. p. 565.

<sup>17</sup> Rushworth, vol. v. p. 399. Nalson, vol. ii. p. 520. May, bk. ii. p. 6.

<sup>18</sup> Temple, pp. 17, 18, 19, 20. Rushworth, vol. v. p. 400.

<sup>19</sup> Temple, pp. 39, 40, 79.

deserting their habitations and assembling for mutual protection, remained at home, in hopes of defending their property, and fell thus separately into the hands of their enemies.<sup>20</sup> After rapacity had fully exerted itself, cruelty, and the most barbarous that ever in any nation was known or heard of, began its operations. A universal massacre commenced of the English, now defenceless, and passively resigned to their inhuman foes. No age, no sex, no condition, was spared. The wife weeping for her butchered husband, and embracing her helpless children, was pierced with them, and perished by the same stroke.<sup>21</sup> The old, the young, the vigorous, the infirm, underwent a like fate, and were confounded in one common ruin. In vain did flight save from the first assault: destruction was everywhere let loose, and met the hunted victims at every turn. In vain was recourse had to relations, to companions, to friends: all connections were dissolved, and death was dealt by that hand from which protection was implored and expected. Without provocation, without opposition, the astonished English, living in profound peace and full security, were massacred by their nearest neighbors, with whom they had long upheld a continual intercourse of kindness and good offices.<sup>22</sup>

But death was the slightest punishment inflicted by those rebels; all the tortures which wanton cruelty could devise, all the lingering pains of body, the anguish of mind, the agonies of despair, could not satiate revenge excited without injury, and cruelty derived from no cause. To enter into particulars would shock the least delicate humanity. Such enormities, though attested by undoubted evidence, appear almost incredible. Depraved nature, even perverted religion, encouraged by the utmost license, reach not to such a pitch of ferocity, unless the pity inherent in human breasts be destroyed by that contagion of example which transports men beyond all the usual motives of conduct and behavior.

The weaker sex themselves, naturally tender to their own sufferings and compassionate to those of others, here emulated their more robust companions in the practice of every cruelty.<sup>23</sup> Even children, taught by the example and encouraged by the exhortation of their parents, essayed their feeble blows on the dead carcasses or defenceless children of the English.<sup>24</sup> The very avarice of the Irish was

<sup>20</sup> Temple, p. 42.

<sup>21</sup> Temple, p. 40.

<sup>22</sup> Temple, pp. 39 40.

<sup>23</sup> Temple, pp. 96, 101. Rushworth, vol. v. p. 415.

<sup>24</sup> Temple, p. 100.



not a sufficient restraint to their cruelty. Such was their frenzy that the cattle which they had seized, and by rapine made their own, yet, because they bore the name of English, were wantonly slaughtered, or, when covered with wounds, turned loose into the woods and deserts.<sup>25</sup>

The stately buildings or commodious habitations of the planters, as if upbraiding the sloth and ignorance of the natives, were consumed with fire or laid level with the ground. And where the miserable owners, shut up in their houses and preparing for defence, perished in the flames, together with their wives and children, a double triumph was afforded to their insulting foes.<sup>26</sup>

If anywhere a number assembled together, and, assuming courage from despair, were resolved to sweeten death by revenge on their assassins, they were disarmed by capitulations and promises of safety confirmed by the most solemn oaths. But no sooner had they surrendered than the rebels, with perfidy equal to their cruelty, made them share the fate of their unhappy countrymen.<sup>27</sup>

Others, more ingenious still in their barbarity, tempted their prisoners, by the fond love of life, to imbrue their hands in the blood of friends, brothers, parents; and, having thus rendered them accomplices in guilt, gave them that death which they sought to shun by deserving it.<sup>28</sup>

Amid all these enormities, the sacred name of *religion* resounded on every side; not to stop the hands of these murderers, but to enforce their blows, and to steel their hearts against every movement of human or social sympathy. The English, as heretics, abhorred of God and detestable to all holy men, were marked out by the priests for slaughter; and, of all actions, to rid the world of these declared enemies to Catholic faith and piety was represented as the most meritorious.<sup>29</sup> Nature, which in that rude people was sufficiently inclined to atrocious deeds, was further stimulated by precept; and national prejudices empoisoned by those aversions, more deadly and incurable, which arose from an enraged superstition. While death finished the sufferings of each victim, the bigoted assassins, with joy and exultation, still echoed in his expiring ears that these agonies were but the commencement of torments infinite and eternal.<sup>30</sup>

<sup>25</sup> Temple, p. 84.

<sup>26</sup> Temple, pp. 29, 106. Rushworth, vol. v. p. 414.

<sup>27</sup> Whitlocke, p. 47. Rushworth, vol. v. p. 416.

<sup>28</sup> Temple, p. 100.

<sup>29</sup> Temple, pp. 85, 106.

<sup>30</sup> Temple, pp. 94, 107, 108. Rushworth, vol. v. p. 407.

Such were the barbarities by which Sir Phelim O'Neale and the Irish in Ulster signalized their rebellion—an event memorable in the annals of human kind, and worthy to be held in perpetual detestation and abhorrence. The generous nature of More was shocked at the recital of such enormous cruelties. He flew to O'Neale's camp; but found that his authority, which was sufficient to excite the Irish to an insurrection, was too feeble to restrain their inhumanity. Soon after, he abandoned a cause polluted by so many crimes; and he retired into Flanders. Sir Phelim, recommended by the greatness of his family, and perhaps, too, by the unrestrained brutality of his nature, though without any courage or capacity, acquired the entire ascendancy over the northern rebels.<sup>31</sup> The English colonies were totally annihilated in the open country of Ulster. The Scots at first met with more favorable treatment. In order to engage them to a passive neutrality, the Irish pretended to distinguish between the British nations; and, claiming friendship and consanguinity with the Scots, extended not over them the fury of their massacres. Many of them found an opportunity to fly the country; others retired into places of security, and prepared themselves for defence; and by this means the Scottish planters, most of them at least, escaped with their lives.<sup>32</sup>

From Ulster the flames of rebellion diffused themselves in an instant over the other three provinces of Ireland. In all places death and slaughter were not uncommon; though the Irish in these other provinces pretended to act with moderation and humanity. But cruel and barbarous was their humanity! Not content with expelling the English from their houses, with despoiling them of their goodly manors, with wasting their cultivated fields, they stripped them of their very clothes, and turned them out, naked and defenceless, to all the severities of the season.<sup>33</sup> The heavens themselves, as if conspiring against that happy people, were armed with cold and tempest unusual to the climate, and executed what the merciless sword had left unfinished.<sup>34</sup> The roads were covered with crowds of naked English, hastening towards Dublin and the other cities which yet remained in the hands of their countrymen. The feeble age of children, the tender sex of women, soon sank under the multiplied rigors of cold and hunger. Here the husband,

<sup>31</sup> Temple, p. 44.

<sup>33</sup> Temple, p. 42.

<sup>32</sup> Temple, p. 41. Rushworth, vol. i. p. 416.

<sup>34</sup> Temple, p. 64.

bidding a final adieu to his expiring family, envied them that fate which he himself expected so soon to share; there the son, having long supported his aged parent, with reluctance obeyed his last commands, and, abandoning him in this uttermost distress, reserved himself to the hopes of avenging that death which all his efforts could not prevent or delay. The astonishing greatness of the calamity deprived the sufferers of any relief from the view of companions in affliction. With silent tears or lamentable cries, they hurried on through the hostile territories; and found every heart which was not steeled by native barbarity guarded by the more implacable furies of mistaken piety and religion.<sup>35</sup>

The saving of Dublin preserved in Ireland the remains of the English name. The gates of that city, though timorously opened, received the wretched supplicants, and presented to the view a scene of human misery beyond what any eye had ever before beheld.<sup>36</sup> Compassion seized the amazed inhabitants, aggravated with the fear of like calamities; while they observed the numerous foes without and within, which everywhere environed them, and reflected on the weak resources by which they were themselves supported. The more vigorous of the unhappy fugitives, to the number of three thousand, were enlisted into three regiments. The rest were distributed into the houses; and all care was taken, by diet and warmth, to recruit their feeble and torpid limbs. Diseases of unknown name and species, derived from these multiplied distresses, seized many of them and put a speedy period to their lives. Others having now leisure to reflect on their mighty loss of friends and fortune, cursed that being which they had saved. Abandoning themselves to despair, refusing all succor, they expired, without other consolation than that of receiving among their countrymen the honors of a grave, which, to their slaughtered companions, had been denied by the inhuman barbarians.<sup>37</sup>

By some computations, those who perished by all these cruelties are supposed to be a hundred and fifty or two hundred thousand. By the most moderate, and probably the most reasonable account, they are made to amount to forty thousand—if this estimation itself be not, as is usual in such cases, somewhat exaggerated.

The justices ordered to Dublin all the bodies of the army which were not surrounded by the rebels; and they assembled a force of fifteen hundred veterans. They soon

<sup>35</sup> Temple, p. 88.<sup>36</sup> Temple, p. 62.<sup>37</sup> Temple, pp. 43, 62.

enlisted and armed from the magazines above four thousand men more. They despatched a body of six hundred men to throw relief into Tredah, besieged by the Irish. But these troops, attacked by the enemy, were seized with a panic, and were most of them put to the sword. Their arms falling into the hands of the Irish, supplied them with what was most wanted.<sup>38</sup> The justices, willing to foment the rebellion in a view of profiting by the multiplied forfeitures, henceforth thought of nothing more than providing for their own present security and that of the capital. The Earl of Ormond, their general, remonstrated against such timid, not to say base and interested, counsels, but was obliged to submit to authority.

The English of the Pale, who probably were not at first in the secret, pretended to blame the insurrection, and to detest the barbarity with which it was accompanied.<sup>39</sup> By their protestations and declarations, they engaged the justices to supply them with arms, which they promised to employ in defence of the government.<sup>40</sup> But, in a little time, the interests of religion were found more prevalent over them than regard and duty to their mother country. They chose Lord Gormanstone their leader; and, joining the old Irish, rivalled them in every act of violence towards the English Protestants. Besides many smaller bodies dispersed over the kingdom, the principal army of the rebels amounted to twenty thousand men, and threatened Dublin with an immediate siege.<sup>41</sup>

Both the English and Irish rebels conspired in one imposture, with which they seduced many of their deluded countrymen. They pretended authority from the king and queen, but chiefly from the latter, for their insurrection; and they affirmed that the cause of their taking arms was to vindicate royal prerogative, now invaded by the puritanical Parliament.<sup>42</sup> Sir Phelim O'Neale, having found a royal patent in Lord Caulfield's house, whom he had murdered, tore off the seal and affixed it to a commission which he had forged for himself.<sup>43</sup>

The king received an account of this insurrection by a messenger despatched from the north of Ireland. He immediately communicated his intelligence to the Scottish Parliament. He expected that the mighty zeal expressed

<sup>38</sup> Nalson, vol. ii. p. 905.

<sup>40</sup> Temple, p. 60. Borlace, Hist. p. 28.

<sup>42</sup> Rushworth, vol. v. pp. 400, 401.

<sup>39</sup> Temple, p. 33. Rushworth, vol. v. p. 402.

<sup>41</sup> Whitlocke, p. 49.

<sup>43</sup> Rushworth, vol. v. p. 402.



by the Scots for the Protestant religion would immediately engage them to fly to its defence, where it was so violently invaded; he hoped that their horror against popery, a religion which now appeared in its most horrible aspect, would second all his exhortations; he had observed with what alacrity they had twice run to arms and assembled troops in opposition to the rights of their sovereign; he saw with how much greater facility they could now collect forces which had been very lately disbanded, and which had been so long inured to military discipline. The cries of their affrighted and distressed brethren in Ireland, he promised himself, would powerfully incite them to send over succors, which could arrive so quickly, and aid them with such promptitude in this uttermost distress. But the zeal of the Scots, as is usual among religious sects, was very feeble when not stimulated either by faction or by interest. They now considered themselves entirely as a republic, and made no account of the authority of their prince, which they had utterly annihilated. Conceiving hopes from the present distresses of Ireland, they resolved to make an advantageous bargain for the succors with which they should supply their neighboring nation; and they cast their eye towards the English Parliament, with whom they were already so closely connected, and who could alone fulfil any articles which might be agreed on. Except despatching a small body to support the Scottish colonies in Ulster, they would, therefore, go no further at present than sending commissioners to London, in order to treat with that power to whom the sovereign authority was now in reality transferred.<sup>44</sup>

The king, too, sensible of his utter inability to subdue the Irish rebels, found himself obliged in this exigency to have recourse to the English Parliament, and depend on their assistance for supply. After communicating to them the intelligence which he had received, he informed them that the insurrection was not, in his opinion, the result of any rash enterprise, but of a formed conspiracy against the crown of England. To their care and wisdom, therefore, he said, he committed the conduct and prosecution of the war, which, in a cause so important to national and religious interests, must of necessity be immediately entered upon and vigorously pursued.<sup>45</sup>

The English Parliament was now assembled; and dis-

<sup>44</sup> Rushworth, vol. v. p. 407.

<sup>45</sup> Clarendon, vol. ii. p. 301.

covered in every vote the same dispositions in which they had separated. The exalting of their own authority, the diminishing of the king's, were still the objects pursued by the majority. Every attempt which had been made to gain the popular leaders, and by offices to attach them to the crown, had failed of success, either for want of skill in conducting it or by reason of the slender preferments which it was then in the king's power to confer. The ambitious and enterprising patriots disdained to accept in detail of a precarious power, while they deemed it so easy, by one bold and vigorous assault, to possess themselves forever of the entire sovereignty. Sensible that the measures which they had hitherto pursued rendered them extremely obnoxious to the king—were many of them in themselves exceptionable; some of them, strictly speaking, illegal—they resolved to seek their own security as well as greatness by enlarging popular authority in England. The great necessities to which the king was reduced; the violent prejudices which generally throughout the nation prevailed against him; his facility in making the most important concessions; the example of the Scots, whose encroachments had totally subverted monarchy—all these circumstances further instigated the Commons in their invasion of royal prerogative; and the danger to which the constitution seemed to have been so lately exposed persuaded many that it never could be sufficiently secured but by the entire abolition of that authority which had invaded it.

But this project it had not been in the power, scarcely in the intention, of the popular leaders to execute, had it not been for the passion which seized the nation for Presbyterian discipline, and for the wild enthusiasm which at that time accompanied it. The license which the Parliament had bestowed on this spirit by checking ecclesiastical authority, the countenance and encouragement with which they had honored it, had already diffused its influence to a wonderful degree, and all orders of men had drunk deep of the intoxicating poison. In every discourse or conversation, this mode of religion entered; in all business it had a share; every elegant pleasure or amusement it utterly annihilated; many vices or corruptions of mind it promoted; even diseases and bodily distempers were not totally exempted from it; and it became requisite, we are told, for all physicians to be expert in the spiritual profession, and, by theological considerations, to allay those religious terrors with

which their patients were so generally haunted. Learning itself, which tends so much to enlarge the mind and humanize the temper, rather served on this occasion to exalt that epidemical frenzy which prevailed. Rude as yet, and imperfect, it supplied the dismal fanaticism with a variety of views, founded it on some coherency of system, enriched it with different figures of elocution—advantage, with which a people totally ignorant and barbarous had been happily unacquainted.

From policy at first, and inclination, now from necessity, the king attached himself extremely to the hierarchy; for like reasons, his enemies were determined, by one and the same effort, to overpower the Church and monarchy.

While the Commons were in this disposition, the Irish rebellion was the event which tended most to promote the views in which all their measures terminated. A horror against the Papists, however innocent, they had constantly encouraged; a terror from the conspiracies of that sect, however improbable, they had at all times endeavored to excite. Here was broken out a rebellion, dreadful and unexpected; accompanied with circumstances the most detestable of which there ever was any record; and what was the peculiar guilt of the Irish Catholics, it was no difficult matter, in the present disposition of men's minds, to attribute to that whole sect, who were already so much the object of general abhorrence. Accustomed, in all invectives, to join the prelatical party with the papists, the people immediately supposed this insurrection to be the result of their united counsels; and when they heard that the Irish rebels pleaded the king's commission for all their acts of violence, bigotry, ever credulous and malignant, assented without scruple to that gross imposture, and unloaded the unhappy prince with the whole enormity of a contrivance so barbarous and inhuman.<sup>46</sup>

By the difficulties and distresses of the crown, the Commons, who possessed alone the power of supply, had aggrandized themselves; and it seemed a peculiar happiness that the Irish rebellion had succeeded, at so critical a juncture, to the pacification of Scotland. That expression of the king's by which he committed to them the care of Ireland, they immediately laid hold of and interpreted in the most unlimited sense. They had on other occasions been gradually encroaching on the executive power of the crown,

<sup>46</sup> See note [T] at the end of the volume.

which forms its principal and most natural branch of authority; but with regard to Ireland, they at once assumed it, fully and entirely, as if delivered over to them by a regular gift or assignment; and to this usurpation the king was obliged passively to submit, both because of his inability to resist, and lest he should still more expose himself to the reproach of favoring the progress of that odious rebellion.

The project of introducing further innovations in England being once formed by the leaders among the Commons, it became a necessary consequence that their operations with regard to Ireland should, all of them, be considered as subordinate to the former, on whose success, when once undertaken, their own grandeur, security, and even being must entirely depend. While they pretended the utmost zeal against the Irish insurrection, they took no steps towards its suppression but such as likewise tended to give them the superiority in those commotions which they foresaw must so soon be excited in England.<sup>47</sup> The extreme contempt entertained for the natives in Ireland made the popular leaders believe that it would be easy at any time to suppress their rebellion and recover that kingdom; nor were they willing to lose, by too hasty success, the advantage which that rebellion would afford them in their projected enroachments on the prerogative. By assuming the total management of the war, they acquired the courtship and dependence of every one who had any connection with Ireland, or who was desirous of enlisting in these military enterprises. They levied money under pretence of the Irish expedition, but reserved it for purposes which concerned them more nearly; they took arms from the king's magazines, but still kept them with a secret intention of employing them against himself; whatever law they deemed necessary for aggrandizing themselves was voted under color of enabling them to recover Ireland; and if Charles withheld the royal assent, his refusal was imputed to those pernicious counsels which had at first excited the popish rebellion, and which still threatened total destruction to the Protestant interest throughout all his dominions;<sup>48</sup> and though no forces were for a long time sent over to Ireland, and very little money remitted during the extreme distress of that kingdom, so strong was the people's attachment to the Commons that the fault was never im-

<sup>47</sup> Clarendon, vol. ii. p. 435. Sir Edward Walker, p. 6.

<sup>48</sup> Nalson, vol. ii. p. 618. Clarendon, vol. iv. p. 590.



puted to those pious zealots, whose votes breathed nothing but death and destruction to the Irish rebels.

To make the attack on royal authority by regular approaches, it was thought proper to frame a general remonstrance of the state of the nation; and, accordingly, the committee, which at the first meeting of Parliament had been chosen for that purpose, and which had hitherto made no progress in their work, received fresh injunctions to finish that undertaking.

The committee brought into the House that remonstrance which has become so memorable, and which was soon afterwards attended with such important consequences. It was not addressed to the king, but was openly declared to be an appeal to the people. The harshness of the matter was equalled by the severity of the language. It consists of many gross falsehoods, intermingled with some evident truths; malignant insinuations are joined to open invectives, loud complaints of the past accompanied with jealous prognostications of the future. Whatever unfortunate, whatever invidious, whatever suspicious measure had been embraced by the king, from the commencement of his reign, is insisted on and aggravated with merciless rhetoric. The unsuccessful expeditions to Cadiz and the isle of Rhé are mentioned; the sending of ships to France for the suppression of the Huguenots; the forced loans: the illegal confinement of men for not obeying illegal commands; the violent dissolution of four parliaments; the arbitrary government which always succeeded; the questioning, fining, and imprisoning of members for their conduct in the House; the levying of taxes without consent of the Commons; the introducing of superstitious innovations into the Church without authority of law; in short, everything which, either with or without reason, had given offence, during the course of fifteen years, from the accession of the king to the calling of the present Parliament. And though all these grievances had been already redressed, and even laws enacted for future security against their return, the praise of these advantages was ascribed, not to the king, but to the Parliament who had extorted his consent to such salutary statutes. Their own merits, too, they asserted, towards the king were no less eminent than towards the people. Though they had seized his whole revenue, rendered it totally precarious, and made even their temporary supplies be paid to their own commissioners, who were independent of him,

they pretended that they had liberally supported him in his necessities. By an insult still more egregious, the very giving of money to the Scots for levying war against their sovereign they represented as an instance of their duty towards him. And all their grievances, they said, which amounted to no less than a total subversion of the constitution, proceeded entirely from the formed combination of a popish faction, who had ever swayed the king's counsels, who had endeavored, by an uninterrupted effort, to introduce their superstition into England and Scotland, and who had now, at last, excited an open and bloody rebellion in Ireland.<sup>49</sup>

This remonstrance, so full of acrimony and violence, was a plain signal for some further attacks intended on royal prerogative, and a declaration that the concessions already made, however important, were not to be regarded as satisfactory. What pretensions would be advanced, how unprecedented, how unlimited, were easily imagined; and nothing less was foreseen, whatever ancient names might be preserved, than an abolition, almost total, of the monarchical government of England. The opposition, therefore, which the remonstrance met with in the House of Commons was great. For above fourteen hours the debate was warmly managed; and from the weariness of the king's party, which probably consisted chiefly of the elderly people and men of cool spirits, the vote was at last carried by a small majority of eleven.<sup>50</sup> Some time after the remonstrance was ordered to be printed and published, without being carried up to the House of Peers for their assent and concurrence.

When this remonstrance was dispersed, it excited everywhere the same violent controversy which attended it when introduced into the House of Commons. This Parliament, said the partisans of that assembly, have at length profited by the fatal example of their predecessors, and are resolved that the fabric which they have generously undertaken to rear for the protection of liberty shall not be left to future ages insecure and imperfect. At the time when the Petition of Right, that requisite vindication of a violated constitution, was extorted from the unwilling prince, who but imagined that liberty was at last secured, and that the laws would thenceforth maintain themselves in opposition to arbitrary authority? But what was the event? A right was indeed

<sup>49</sup> Rushworth, vol. v. p. 438. Nalson, vol. i. p. 694.

<sup>50</sup> Whitlocke, p. 49. Dugdale, p. 71. Nalson, vol. ii. p. 668.

acquired to the people, or rather, their ancient right was more exactly defined ; but as the *power* of invading it still remained in the prince, no sooner did an opportunity offer than he totally disregarded all laws and preceding engagements, and made his will and pleasure the sole rule of government. Those lofty ideas of monarchical authority, which he has derived from his early education, which are united in his mind with the irresistible illusions of self-love, which are corroborated by his mistaken principles of religion, it is in vain to hope that, in his more advanced age, he will sincerely renounce, from any subsequent reflection or experience. Such conversions, if ever they happen, are extremely rare ; but to expect that they will be derived from necessity, from the jealousy and resentment of antagonists, from blame, from reproach, from opposition, must be the result of the fondest and most blind credulity. These violences, however necessary, are sure to irritate a prince against limitations so cruelly imposed upon him ; and each concession which he is constrained to make is regarded as a temporary tribute paid to faction and sedition, and is secretly attended with a resolution of seizing every favorable opportunity to retract it. Nor should we imagine that opportunities of that kind will not offer in the course of human affairs. Governments, especially those of a mixed kind, are in continual fluctuation ; the humors of the people change perpetually from one extreme to another ; and no resolution can be more wise, as well as more just, than that of employing the present advantages against the king, who had formerly pushed much less tempting ones to the utmost extremities against his people and his Parliament. It is to be feared that, if the religious rage which has seized the multitude be allowed to evaporate, they will quickly return to the ancient ecclesiastical establishment, and with it embrace those principles of slavery which it inculcates with such zeal on its submissive proselytes. Those patriots who are now the public idols may then become the objects of general detestation, and equal shouts of joy attend their ignominious execution with those which second their present advantages and triumphs. Nor ought the apprehension of such an event to be regarded in them as a selfish consideration : in their safety is involved the security of the laws ; the patrons of the constitution cannot suffer without a fatal blow to the constitution ; and it is but justice in the public to protect, at any hazard, those who have so generously

exposed themselves to the utmost hazard for the public interest. What though monarchy, the ancient government of England, be impaired, during these contests, in many of its former prerogatives; the laws will flourish the more by its decay; and it is happy, allowing that matters are really carried beyond the bounds of moderation, that the current at least runs towards liberty, and that the error is on that side which is safest for the general interest of mankind and society.

The best arguments of the royalists against a further attack on the prerogative were founded more on opposite ideas which they had formed of the past events of this reign than on opposite principles of government. Some invasions, they said, and those, too, of moment, had undoubtedly been made on national privileges; but were we to look for the cause of these violences, we should never find it to consist in the wanton tyranny and injustice of the prince, not even in his ambition or immoderate appetite for authority. The hostilities with Spain, in which the king, on his accession, found himself engaged, however imprudent and unnecessary, had proceeded from the advice, and even importunity, of the Parliament, who deserted him immediately after they had embarked him in those warlike measures. A young prince, jealous of honor, was naturally afraid of being foiled in his first enterprise, and had not as yet attained such maturity of counsel as to perceive that his greatest honor lay in preserving the laws inviolate, and gaining the full confidence of his people. The rigor of the subsequent parliaments had been extreme with regard to many articles, particularly tonnage and poundage, and had reduced the king to an absolute necessity, if he would preserve entire the royal prerogative, of levying those duties by his own authority, and of breaking through the forms, in order to maintain the spirit, of the constitution. Having once made so perilous a step, he was naturally induced to continue, and to consult the public interest by imposing ship-money and other moderate though irregular burdens and taxations. A sure proof that he had formed no system for enslaving his people is, that the chief object of his government has been to raise a naval, not a military force—a project useful, honorable, nay, indispensably requisite, and, in spite of his great necessities, brought almost to a happy conclusion. It is now full time to free him from all these necessities, and to apply cordials and lenitives after those



severities, which have already had their full course against him. Never was sovereign blessed with more moderation of temper, with more justice, more humanity, more honor, or a more gentle disposition. What pity that such a prince should so long have been harassed with rigors, suspicions, calumnies, complaints, encroachments, and been forced from that path in which the rectitude of his principles would have inclined him to have constantly trodden! If some few instances are found of violations made on the Petition of Right, which he himself had granted, there is an easier and more natural way for preventing the return of like inconveniences than by a total abolition of royal authority. Let the revenue be settled suitably to the ancient dignity and splendor of the crown; let the public necessities be fully supplied; let the remaining articles of prerogative be left untouched; and the king, as he has already lost the power, will lay aside the will, of invading the constitution. From what quarter can jealousies now rise? What further security can be desired or expected? The king's preceding concessions, so far from being insufficient for public security, have rather erred on the other extreme; and, by depriving him of all power of self-defence, are the real cause why the Commons are emboldened to raise pretensions hitherto unheard of in the kingdom, and to subvert the whole system of the constitution. But would they be content with moderate advantages, is it not evident that, besides other important concessions, the present Parliament may be continued till the government be accustomed to the new track, and every part be restored to full harmony and concord? By the triennial act a perpetual succession of parliaments is established, as everlasting guardians to the laws, while the king possesses no independent power or military force by which he can be supported in his invasion of them. No danger remains but what is inseparable from all free constitutions, and what forms the very essence of their freedom—the danger of a change in the people's disposition, and of general disgust contracted against popular privileges. To prevent such an evil, no expedient is more proper than to contain ourselves within the bounds of moderation, and to consider that all extremes, naturally and infallibly, beget each other. In the same manner as the past usurpations of the crown, however excusable on account of the necessity or provocations whence they arose, have excited an immeasurable appetite for liberty, let us beware lest our encroach-

ments, by introducing anarchy, make the people seek shelter under the peaceable and despotic rule of a monarch. Authority, as well as liberty, is requisite to government, and is even requisite to the support of liberty itself, by maintaining the laws, which can alone regulate and protect it. What madness, while everything is so happily settled under ancient forms and institutions, now more exactly poised and adjusted to try the hazardous experiment of a new constitution, and renounce the mature wisdom of our ancestors for the crude whimsies of turbulent innovators! Besides the certain and inconceivable mischiefs of civil war, are not the perils apparent which the delicate frame of liberty must inevitably sustain amid the furious shock of arms? Whichever side prevails, *she* can scarcely hope to remain inviolate, and may suffer no less, or rather greater injuries from the boundless pretensions of forces engaged in her cause than from the invasion of enraged troops enlisted on the side of monarchy.

The king, upon his return from Scotland, was received in London with the shouts and acclamations of the people, and with every demonstration of regard and affection.<sup>51</sup> Sir Richard Gourney, lord mayor, a man of moderation and authority, had promoted these favorable dispositions, and had engaged the populace, who so lately insulted the king and who so soon after made furious war upon him, to give him these marks of their dutiful attachment. But all the pleasure which Charles reaped from this joyous reception was soon damped by the remonstrance of the Commons which was presented him, together with a petition of a like strain. The bad counsels which he followed are there complained of; his concurrence in the Irish rebellion plainly insinuated; the scheme laid for the introduction of popery and superstition inveighed against; and, as a remedy for all these evils, he is desired to intrust every office and command to persons in whom his Parliament should have cause to confide.<sup>52</sup> By this phrase, which is so often repeated in all the memorials and addresses of that time, the Commons meant themselves and their adherents.

As soon as the remonstrance of the Commons was published, the king dispersed an answer to it. In this contest he lay under great disadvantages. Not only the ears of the people were extremely prejudiced against him; the best topics upon which he could justify, at least apologize for,

<sup>51</sup> Rushworth, vol. v. p. 429.

<sup>52</sup> Rushworth, vol. v. p. 437. Nalson, vol. ii. p. 692.

his former conduct were such as it was not safe or prudent for him at this time to employ. So high was the national idolatry towards parliaments that to blame the past conduct of these assemblies would have been very ill received by the generality of the people. So loud were the complaints against regal usurpations that had the king asserted the prerogative of supplying, by his own authority, the deficiencies in government arising from the obstinacy of the Commons, he would have increased the clamors with which the whole nation already resounded. Charles, therefore, contented himself with observing in general that, even during that period so much complained of, the people enjoyed a great measure of happiness, not only comparatively in respect of their neighbors, but even in respect of those times which were justly accounted the most fortunate. He made warm protestations of sincerity in the reformed religion; he promised indulgence to tender consciences with regard to the ceremonies of the Church; he mentioned his great concessions to national liberty; he blamed the infamous libels everywhere dispersed against his person and the national religion; he complained of the general reproaches thrown out in the remonstrance with regard to ill counsels, though he had protected no minister from parliamentary justice, retained no unpopular servant, and conferred offices on no one who enjoyed not a high character and estimation in the public. "If, notwithstanding this," he adds, "any malignant party shall take heart, and be willing to sacrifice the peace and happiness of their country to their own sinister ends and ambition, under whatever pretence of religion and conscience; if they shall endeavor to lessen my reputation and interest, and to weaken my lawful power and authority; if they shall attempt, by discountenancing the present laws, to loosen the bands of government, that all disorder and confusion may break in upon us, I doubt not but God, in his good time, will discover them to me, and that the wisdom and courage of my high court of Parliament will join with me in their suppression and punishment."<sup>53</sup> Nothing shows more evidently the hard situation in which Charles was placed than to observe that he was obliged to confine himself within the limits of civility towards subjects who had transgressed all bounds of regard, and even of good manners, in the treatment of their sovereign.

<sup>53</sup> Nalson, vol. ii. p. 748.

The first instance of those parliamentary encroachments which Charles was now to look for was the bill for pressing soldiers to the service of Ireland. This bill quickly passed the lower House. In the preamble the king's power of pressing, a power exercised during all former times, was declared illegal and contrary to the liberty of the subject. By a necessary consequence, the prerogative which the crown had ever assumed of obliging men to accept of any branch of public service was abolished and annihilated—a prerogative, it must be owned, not very compatible with a limited monarchy. In order to elude this law, the king offered to raise ten thousand volunteers for the Irish service; but the Commons were afraid lest such an army should be too much at his devotion. Charles, still unwilling to submit to so considerable a diminution of power, came to the House of Peers, and offered to pass the law without the preamble; by which means, he said, that ill-timed question with regard to the prerogative would for the present be avoided, and the pretensions of each party be left entire. Both Houses took fire at this measure, which, from a similar instance while the bill of attainder against Strafford was in dependence, Charles might foresee would be received with resentment. The Lords, as well as Commons, passed a vote declaring it to be a high breach of privilege for the king to take notice of any bill which was in agitation in either of the Houses, or to express his sentiments with regard to it before it be presented to him for his assent in a parliamentary manner. The king was obliged to compose all matters by an apology.<sup>54</sup>

The general question, we may observe, with regard to privileges of Parliament has always been, and still continues, one of the greatest mysteries in the English constitution, and, in some respects, notwithstanding the accurate genius of that government, these privileges are at present as undetermined as were formerly the prerogatives of the crown. Such privileges as are founded on long precedent cannot be controverted; but though it were certain that former kings had not, in any instance, taken notice of bills lying before the Houses (which yet appears to have been very common), it follows not, merely from their never exerting such a power, that they had renounced it, or never were possessed of it. Such privileges, also, as are essential

<sup>54</sup> Rushworth, vol. v. pp. 457, 458, etc. Clarendon, vol. ii. p. 327. Nalson, vol. ii. pp. 738, 750, 751, etc.



to all free assemblies which deliberate, they may be allowed to assume, whatever precedents may prevail; but though the king's interposition, by an offer of advice, does in some degree overawe or restrain liberty, it may be doubted whether it imposes such evident violence as to entitle the Parliament, without any other authority or concession, to claim the privilege of excluding it. But this was the favorable time for extending privileges; and had none more exorbitant or unreasonable been challenged, few bad consequences had followed. The establishment of this rule, it is certain, contributes to the order and regularity as well as freedom of parliamentary proceedings.

The interposition of peers in the election of commoners was likewise about this time declared a breach of privilege, and continues ever since to be condemned by votes of the Commons and universally practised throughout the nation.

Every measure pursued by the Commons, and, still more, every attempt made by their partisans, were full of the most inveterate hatred against the hierarchy, and showed a determined resolution of subverting the whole ecclesiastical establishment. Besides numberless vexations and persecutions which the clergy underwent from the arbitrary power of the lower House, the Peers, while the king was in Scotland, having passed an order for the observance of the laws with regard to public worship, the Commons assumed such authority that by a vote alone of their House they suspended those laws, though enacted by the whole legislature, and they particularly forbade bowing at the name of Jesus—a practice which gave them the highest scandal and which was one of their capital objections against the established religion.<sup>55</sup> They complained of the king's filling five vacant sees, and considered it as an insult upon them that he should complete and strengthen an order which they intended soon entirely to abolish.<sup>56</sup> They had accused thirteen bishops of high treason for enacting canons without consent of Parliament,<sup>57</sup> though, from the foundation of the monarchy, no other method had ever been practised; and they now insisted that the Peers, upon this general accusation, should sequester those bishops from their seats in Parliament and commit them to prison. Their bill for taking away the bishops' votes had last winter been rejected by the Peers; but they again introduced the

<sup>55</sup> Rushworth, vol. v. pp. 385, 386. Nalson, vol. ii. p. 482.

<sup>56</sup> Nalson, vol. ii. p. 511.

<sup>57</sup> Rushworth, vol. v. p. 356.

same bill, though no prorogation had intervened, and they endeavored, by some minute alterations, to elude that rule of Parliament which opposed them; and when they sent up this bill to the Lords they made a demand, the most absurd in the world, that the bishops, being all of them parties, should be refused a vote with regard to that question.<sup>58</sup> After the resolution was once formed by the Commons of invading the established government of Church and State, it could not be expected that their proceedings in such a violent attempt would thenceforth be altogether regular and equitable; but it must be confessed that, in their attack on the hierarchy, they still more openly passed all bounds of moderation, as supposing, no doubt, that the sacredness of the cause would sufficiently atone for employing means the most irregular and unprecedented. This principle, which prevails so much among zealots, never displayed itself so openly as during the transactions of this whole period.

But notwithstanding these efforts of the Commons, they could not expect the concurrence of the upper House either to this law or to any other which they should introduce for the further limitation of royal authority. The majority of the Peers adhered to the king, and plainly foresaw the depression of nobility as a necessary consequence of popular usurpations on the crown. The insolence, indeed, of the Commons, and their haughty treatment of the Lords, had already risen to a great height, and gave sufficient warning of their future attempts upon that order. They muttered somewhat of their regret that they should be obliged to save the kingdom alone, and that the House of Peers would have no part in the honor. Nay, they went so far as openly to tell the Lords "that they themselves were the representative body of the whole kingdom, and that the Peers were nothing but individuals who held their seats in a particular capacity; and, therefore, if their lordships will not consent to the passing of acts necessary for the preservation of the people, the Commons, together with such of the Lords as are more sensible of the danger, must join together and represent the matter to his majesty."<sup>59</sup> So violent was the democratic, enthusiastic spirit diffused throughout the nation that a total confusion of all rank and order was justly to be apprehended; and the wonder was, not that the majority of the nobles should

<sup>58</sup> Clarendon, vol. ii. p. 304.

<sup>59</sup> Clarendon, vol. ii. p. 415.

seek shelter under the throne, but that any of them should venture to desert it. But the tide of popularity seized many, and carried them wide of the most established maxims of civil policy. Among the opponents of the king are ranked the Earl of Northumberland, lord admiral, a man of the first family and fortune, and endowed with that dignified pride which so well became his rank and station; the Earl of Essex, who inherited all his father's popularity, and having, from his early youth, sought renown in arms, united to a middling capacity that rigid inflexibility of honor which forms the proper ornament of a nobleman and a soldier; Lord Kimbolton, soon after Earl of Manchester, a person distinguished by humanity, generosity, affability, and every amiable virtue. These men, finding that their credit ran high with the nation, ventured to encourage those popular disorders which they vainly imagined they possessed authority sufficient to regulate and control.

In order to obtain a majority in the upper House, the Commons had recourse to the populace, who on other occasions had done them such important service. Amid the greatest security, they affected continual fears of destruction to themselves and the nation, and seemed to quake at every breath or rumor of danger. They again excited the people by never-ceasing inquiries after conspiracies, by reports of insurrections, by feigned intelligence of invasions from abroad, by discoveries of dangerous combinations at home among Papists and their adherents. When Charles dismissed the guard which they had ordered during his absence, they complained; and upon his promising them a new guard under the command of the Earl of Lindsey, they absolutely refused the offer, and were pleased to insinuate by this instance of jealousy that their danger chiefly arose from the king himself.<sup>60</sup> They ordered halberts to be brought into the hall where they assembled, and thus armed themselves against those conspiracies with which they pretended they were hourly threatened. All stories of plots, however ridiculous, were willingly attended to and were dispersed among the multitude, to whose capacity they were well adapted. Beale, a tailor, informed the Commons that, walking in the fields, he had hearkened to the discourse of certain persons unknown to him, and had heard them talk of a most dangerous conspiracy. A hundred and eight ruffians, as he learned, had been appointed

<sup>60</sup> Journal, November 30, 1641. Nalson, vol. ii. p. 688.

to murder a hundred and eight lords and commoners, and were promised rewards for these assassinations—ten pounds for each lord, forty shillings for each commoner. Upon this notable intelligence orders were issued for seizing priests and Jesuits, a conference was desired with the Lords, and the deputy-lieutenants of some suspected counties were ordered to put the people in a posture of defence.<sup>61</sup>

The pulpits likewise were called in aid, and resounded with the dangers which threatened religion from the desperate attempts of Papists and malignants. Multitudes flocked towards Westminster and insulted the prelates and such of the lords as adhered to the crown. The Peers voted a declaration against those tumults and sent it to the lower House; but these refused their concurrence.<sup>62</sup> Some seditious apprentices being seized and committed to prison, immediately received their liberty by an order of the Commons.<sup>63</sup> The sheriffs and justices having appointed constables with strong watches to guard the Parliament, the Commons sent for the constables and required them to discharge the watches, convened the justices, voted their orders a breach of privilege, and sent one of them to the Tower.<sup>64</sup> Encouraged by these intimations of their pleasure, the populace crowded about Whitehall and threw out insolent menaces against Charles himself. Several reduced officers and young gentlemen of the inns of court, during this time of disorder and danger, offered their service to the king. Between them and the populace there passed frequent skirmishes which ended not without bloodshed. By way of reproach, these gentlemen gave the rabble the appellation of *Roundheads*, on account of the short-cropped hair which they wore; these called the others *Cavaliers*; and thus the nation, which was before sufficiently provided with religious as well as civil causes of quarrel, was also supplied with party names under which the factions might rendezvous and signalize their mutual hatred.<sup>65</sup>

Meanwhile the tumults still continued, and even increased about Westminster and Whitehall. The cry incessantly resounded against “bishops and rotten-hearted lords.”<sup>66</sup> The former especially, being distinguishable by their habit, and being the object of violent hatred to all the

<sup>61</sup> Nalson, vol. ii. p. 646. Journal, November 16, 1641. Dugdale, p. 77.

<sup>62</sup> Rushworth, part iii. vol. i. p. 710.

<sup>63</sup> Nalson, vol. ii. pp. 784, 792.

<sup>64</sup> Nalson, p. 692. Journal, December 27, 28, 29, 1641.

<sup>65</sup> Clarendon, vol. ii. p. 339.

<sup>66</sup> Clarendon, vol. ii. p. 336.



sectaries, were exposed to the most dangerous insults.<sup>67</sup> Williams, now created Archbishop of York, having been abused by the populace, hastily called a meeting of his brethren. By his advice a protestation was drawn and addressed to the king and the House of Lords. The bishops there set forth that though they had an undoubted right to sit and vote in Parliament, yet, in coming thither, they had been menaced, assaulted, affronted, by the unruly multitude, and could no longer with safety attend their duty in the House. For this reason they protested against laws, votes, and resolutions as null and invalid which should pass during the time of their constrained absence. This protestation, which, though just and legal, was certainly ill timed, was signed by twelve bishops, and communicated to the king, who hastily approved of it. As soon as it was presented to the Lords, that House desired a conference with the Commons, whom they informed of this unexpected protestation. The opportunity was seized with joy and triumph. An impeachment of high treason was immediately sent up against the bishops, as endeavoring to subvert the fundamental laws and to invalidate the authority of the legislature.<sup>68</sup> They were, on the first demand, sequestered from Parliament and committed to custody. No man, in either House, ventured to speak a word in their vindication, so much displeased was every one at the egregious imprudence of which they had been guilty. One person alone said that he did not believe them guilty of high treason, but that they were stark-mad, and therefore desired they might be sent to Bedlam.<sup>69</sup>

[1642.] A few days after, the king was betrayed into another indiscretion, much more fatal—an indiscretion to which all the ensuing disorders and civil wars ought immediately and directly to be ascribed. This was the impeachment of Lord Kimbolton and the five members.

When the Commons employed, in their remonstrance, language so severe and indecent, they had not been actuated entirely by insolence and passion; their views were more solid and profound. They considered that in a violent attempt such as an invasion of the ancient constitution, the more leisure was afforded the people to reflect, the less would they be inclined to second that rash and dangerous enterprise; that the Peers would certainly refuse their con-

<sup>67</sup> Dugdale, p. 78.

<sup>68</sup> Whitlocke, p. 51. Rushworth, vol. v. p. 466. Nalson, vol. ii. p. 794.

<sup>69</sup> Clarendon, vol. ii. p. 355.

currence, nor were there any hopes of prevailing on them but by instigating the populace to tumult and disorder; that the employing of such odious means for so invidious an end would, at long run, lose them all their popularity and turn the tide of favor to the contrary party; and that if the king only remained in tranquillity, and cautiously eluded the first violence of the tempest, he would, in the end, certainly prevail, and be able at least to preserve the ancient laws and constitutions. They were therefore resolved, if possible, to excite him to some violent passion, in hopes that he would commit indiscretions of which they might make advantage.

It was not long before they succeeded beyond their fondest wishes. Charles was enraged to find that all his concessions but increased their demands; that the people who were returning to a sense of duty towards him were again roused to sedition and tumults; that the blackest calumnies were propagated against him, and even the Irish massacre ascribed to his counsels and machinations; and that a method of address was adopted, not only unsuitable towards so great a prince, but which no private gentleman could bear without resentment. When he considered all these increasing acts of insolence in the Commons, he was apt to ascribe them, in a great measure, to his own indolence and facility. The queen and the ladies of the court further stimulated his passion, and represented that if he exerted the vigor and displayed the majesty of a monarch, the daring usurpations of his subjects would shrink before him. Lord Digby, a man of fine parts, but full of levity, and hurried on by precipitate passions, suggested like counsels; and Charles, who, though commonly moderate in his temper, was ever disposed to hasty resolutions, gave way to the fatal importunity of his friends and servants.<sup>70</sup>

Herbert, attorney-general, appeared in the House of Peers, and, in his majesty's name, entered an accusation of high treason against Lord Kimbolton and five commoners—Hollis, Sir Arthur Hazlerig, Hambden, Pym, and Strode. The articles were, that they had traitorously endeavored to subvert the fundamental laws and government of the kingdom, to deprive the king of his regal power, and to impose on his subjects an arbitrary and tyrannical authority; that they had endeavored, by many foul aspersions on his majesty and his government, to alienate the affections of his

<sup>70</sup> Clarendon, vol. ii. p. 366.

people and make him odious to them; that they had attempted to draw his late army to disobedience of his royal commands, and to side with them in their traitorous designs; that they had invited and encouraged a foreign power to invade the kingdom; that they had aimed at subverting the rights and very being of Parliament; that, in order to complete their traitorous designs, they had endeavored, as far as in them lay, by force and terror, to compel the Parliament to join with them, and to that end had actually raised and countenanced tumults against the king and Parliament; and that they had traitorously conspired to levy, and actually had levied, war against the king.<sup>71</sup>

The whole world stood amazed at this important accusation, so suddenly entered upon, without concert, deliberation, or reflection. Some of these articles of accusation, men said, to judge by appearance, seem to be common between the impeached members and the Parliament nor did these persons appear any further active in the enterprises of which they were accused than so far as they concurred with the majority in their votes and speeches. Though proofs might, perhaps, be produced of their privately inviting the Scots to invade England, how could such an attempt be considered as treason after the act of oblivion which had passed, and after that both Houses, with the king's concurrence, had voted that nation three hundred thousand pounds for their brotherly assistance? While the House of Peers are scarcely able to maintain their independency, or to reject the bills sent them by the Commons, will they ever be permitted by the populace, supposing them inclined, to pass a sentence which must totally subdue the lower House, and put an end to their ambitious undertakings? These five members, at least Pym, Hambden, and Hollis, are the very heads of the popular party; and if these be taken off, what fate must be expected by their followers, who are many of them accomplices in the same treason? The punishment of leaders is ever the last triumph over a broken and routed party, but surely was never before attempted in opposition to a faction during the full tide of its power and success.

But men had not leisure to wonder at the indiscretion of this measure; their astonishment was excited by new at-

<sup>71</sup> Whitlocke, p. 50. Rushworth, vol. v. p. 473. Nalson, vol. ii. p. 811. Franklyn, p. 906.

tempts still more precipitate and imprudent. A sergeant-at-arms, in the king's name, demanded of the House the five members, and was sent back without any positive answer. Messengers were employed to search for them and arrest them. Their trunks, chambers, and studies were sealed and locked. The House voted all these acts of violence to be breaches of privilege, and commanded every one to defend the liberty of the members.<sup>72</sup> The king, irritated by all this opposition, resolved next day to come in person to the House, with an intention to demand, perhaps seize, in their presence the men whom he had accused.

This resolution was discovered to the Countess of Carlisle, sister to Northumberland, a lady of spirit, wit, and intrigue.<sup>73</sup> She privately sent intelligence to the five members, and they had time to withdraw a moment before the king entered. He was accompanied by his ordinary retinue, to the number of above two hundred, armed as usual, some with halberds, some with walking-swords. The king left them at the door, and he himself advanced alone through the hall, while all the members rose to receive him. The speaker withdrew from his chair and the king took possession of it. The speech which he made was as follows: "Gentlemen, I am sorry for this occasion of coming to you. Yesterday I sent a sergeant-at-arms to demand some, who, by my order, were accused of high treason. Instead of obedience, I received a message. I must here declare to you that though no king that ever was in England could be more careful of your privileges than I shall be, yet in cases of treason no person has privilege. Therefore am I come to tell you that I must have these men wheresoever I can find them. Well, since I see all the birds are flown, I do expect that you will send them to me as soon as they return. But I assure you, on the word of a king, I never did intend any force, but shall proceed against them in a fair and legal way, for I never meant any other; and now, since I see I cannot do what I came for, I think this is no unfit occasion to repeat what I have said formerly, and whatever I have done in favor and to the good of my subjects, I do intend to maintain it."<sup>74</sup>

When the king was looking around for the accused members, he asked the speaker, who stood below, whether any of these persons were in the house? The speaker, fall-

<sup>72</sup> Whitlocke, p. 50. Rushworth, vol. v. pp. 474, 475.

<sup>73</sup> Whitlocke, p. 51. Warwick, p. 204.

<sup>74</sup> Whitlocke, p. 50.



ing on his knee, prudently replied, "I have, sir, neither eyes to see nor tongue to speak, in this place, but as the House is pleased to direct me, whose servant I am. And I humbly ask pardon that I cannot give any other answer to what your majesty is pleased to demand of me."<sup>75</sup>

The Commons were in the utmost disorder; and when the king was departing, some members cried aloud so as he might hear them, "Privilege! privilege!" and the House immediately adjourned till next day.<sup>76</sup>

That evening the accused members, to show the greater apprehension, removed into the city, which was their fortress. The citizens were the whole night in arms. Some people who were appointed for that purpose, or perhaps actuated by their own terrors, ran from gate to gate, crying out that the Cavaliers were coming to burn the city, and that the king himself was at their head.

Next morning Charles sent to the mayor, and ordered him to call a common council immediately. About ten o'clock, he himself, attended only by three or four lords, went to Guildhall. He told the common council that he was sorry to hear of the apprehensions entertained of him; that he was come to them without any guard, in order to show how much he relied on their affections; and that he had accused certain men of high treason, against whom he would proceed in a legal way, and therefore presumed that they would not meet with protection in the city. After many other gracious expressions, he told one of the sheriffs, who of the two was thought the least inclined to his service, that he would dine with him. He departed the hall without receiving the applause which he expected. In passing through the streets he heard the cry, "Privilege of Parliament! privilege of Parliament!" resounding from all quarters. One of the populace, more insolent than the rest, drew nigh to his coach, and called out with a loud voice, "To your tents, O Israel!" the words employed by the mutinous Israelites when they abandoned Rehoboam, their rash and ill-counselled sovereign.<sup>77</sup>

When the House of Commons met, they affected the greatest dismay; and, adjourning themselves for some days, ordered a committee to sit in Merchant Tailors' Hall in the city. The committee made an exact enquiry into all circumstances attending the king's entry into the House;

<sup>75</sup> Whitlocké, p. 50. May, bk. ii. p. 20.

<sup>76</sup> Whitlocke, p. 51.

<sup>77</sup> Rushworth, vol. v. p. 479. Clarendon, vol. ii. p. 361.

every passionate speech, every menacing gesture of any, even the meanest, of his attendants, was recorded and aggravated; an intention of offering violence to the Parliament, of seizing the accused members in the very House, and of murdering all who should make resistance, was inferred; and that unparalleled breach of privilege, so it was called, was still ascribed to the counsel of Papists and their adherents. This expression, which then recurred every moment in speeches and memorials, and which at present is so apt to excite laughter in the reader, begat at that time the deepest and most real consternation throughout the kingdom.

A letter was pretended to be intercepted, and was communicated to the committee, who pretended to lay great stress upon it. One Catholic there congratulates another on the accusation of the members, and represents that incident as a branch of the same pious contrivance which had excited the Irish insurrection, and by which the profane heretics would soon be exterminated in England.<sup>78</sup>

The House again met, and, after confirming the votes of their committee, instantly adjourned, as if exposed to the most imminent perils from the violence of their enemies. This practice they continued for some time. When the people, by these affected panics, were wrought up to a sufficient degree of rage and terror, it was thought proper that the accused members should, with a triumphant and military procession, take their seats in the House. The river was covered with boats and other vessels, laden with small pieces of ordnance and prepared for fight. Skippon, whom the Parliament had appointed, by their own authority, major-general of the city militia,<sup>79</sup> conducted the members, at the head of this tumultuary army, to Westminster Hall. And when the populace, by land and by water, passed Whitehall, they still asked, with insulting shouts, "What has become of the king and his Cavaliers? And whither are they fled?"<sup>80</sup>

The king, apprehensive of danger from the enraged multitude, had retired to Hampton Court, deserted by all the world, and overwhelmed with grief, shame, and remorse for the fatal measures into which he had been hurried. His distressed situation he could no longer ascribe to the rigors of destiny or the malignity of enemies; his own precipitancy

<sup>78</sup> Nalson, vol. ii. p. 836.

<sup>79</sup> Nalson, vol. ii. p. 833.

<sup>80</sup> Whitlocke, p. 52. Dugdale, p. 82. Clarendon, vol. ii. p. 380.

and indiscretion must bear the blame of whatever disasters should henceforth befall him. The most faithful of his adherents, between sorrow and indignation, were confounded with reflections on what had happened and what was likely to follow. Seeing every prospect blasted, faction triumphant, the discontented populace inflamed to a degree of fury, they utterly despaired of success in a cause to whose ruin friends and enemies seemed equally to conspire.

The prudence of the king in his conduct of this affair nobody pretended to justify. The legality of his proceedings met with many and just apologies, though generally offered to unwilling ears. No maxim of law, it was said, is more established, or more universally allowed, than that privilege of Parliament extends not to treason, felony, or breach of peace; nor has either House, during former ages, ever pretended in any of those cases to interpose in behalf of its members. Though some inconveniences should result from the observance of this maxim, that would not be sufficient, without other authority, to abolish a principle established by uninterrupted precedent and founded on the tacit consent of the whole legislature. But what are the inconveniences so much dreaded? The king, on pretence of treason, may seize any members of the opposite faction, and, for a time, gain to his partisans the majority of voices. But if he seize only a few, will he not lose more friends by such a gross artifice than he confines enemies? If he seize a great number, is not this expedient force, open and barefaced? And what remedy at all times against such force but to oppose to it a force which is superior? Even allowing that the king intended to employ violence, not authority, for seizing the members (though at that time, and ever afterwards, he positively asserted the contrary), yet will his conduct admit of excuse. That the hall where the Parliament assembles is an inviolable sanctuary was never yet pretended. And if the Commons complain of the affront offered them by an attempt to arrest their members in their very presence, the blame must lie entirely on themselves, who had formerly refused compliance with the king's message when he peaceably demanded these members. The sovereign is the great executor of the laws, and his presence was here legally employed, both in order to prevent opposition and to protect the House against those insults which their disobedience had so well merited.

Charles knew to how little purpose he should urge these

reasons against the present fury of the Commons. He proposed, therefore, by a message, that they would agree upon a legal method by which he might carry on his prosecution against the members, lest further misunderstandings happen with regard to privilege. They desired him to lay the grounds of accusation before the House, and pretended that they must first judge whether it were proper to give up their members to a legal trial. The king then informed them that he would waive for the present all prosecution; by successive messages, he afterwards offered a pardon to the members; offered to concur in any law that should acquit or secure them; offered any reparation to the House for the breach of privilege, of which, he acknowledged, they had reason to complain.<sup>81</sup> They were resolved to accept of no satisfaction, unless he would discover his advisers in that illegal measure—a condition to which they knew that, without rendering himself forever vile and contemptible, he could not possibly submit. Meanwhile they continued to thunder against the violation of parliamentary privileges, and by their violent outcries to inflame the whole nation. The secret reason of their displeasure, however obvious, they carefully concealed. In the king's accusation of the members they plainly saw his judgment of the late parliamentary proceedings; and every adherent of the ruling faction dreaded the same fate should royal authority be re-established in its ancient lustre. By the most unhappy conduct, Charles, while he extremely augmented in his opponents the will, had also increased the ability, of hurting him.

The more to excite the people, whose dispositions were already very seditious, the expedient of petitioning was renewed. A petition from the county of Buckingham was presented to the House by six thousand subscribers, who promised to live and die in defence of the privileges of Parliament.<sup>82</sup> The city of London, the county of Essex, that of Hertford, Surrey, Berks, imitated the example. A petition from the apprentices was graciously received.<sup>83</sup> Nay, one was encouraged from the porters, whose numbers amounted, as they said, to fifteen thousand.<sup>84</sup> The address of that great body contained the same articles with all the others, the privileges of Parliament, the danger of religion, the rebellion of Ireland, the decay of trade. The porters further

<sup>81</sup> Dugdale, p. 84. Rushworth, vol. v. pp. 484, 488, 492, etc.

<sup>82</sup> Rushworth, vol. v. p. 487.

<sup>83</sup> Rushworth, vol. v. p. 462.

<sup>84</sup> Dugdale, p. 87.



desired that justice might be done upon offenders, as the atrociousness of their crimes had deserved. And they added "that if such remedies were any longer suspended, they should be forced to extremities not fit to be named, and make good the saying that 'Necessity has no law.'" <sup>85</sup>

Another petition was presented by several poor people, or beggars, in the name of many thousands more, in which the petitioners proposed as a remedy for the public miseries "that those noble worthies of the House of Peers who concur with the happy votes of the Commons may separate themselves from the rest, and sit and vote as one entire body." The Commons gave thanks for this petition. <sup>86</sup>

The very women were seized with the same rage. A brewer's wife, followed by many thousands of her sex, brought a petition to the House, in which the petitioners expressed their terror of the Papists and prelates, and their dread of like massacres, rapes, and outrages with those which had been committed upon their sex in Ireland. They had been necessitated, they said, to imitate the example of the woman of Tekoah; and they claimed equal right with the men of declaring by petition their sense of the public cause, because Christ had purchased them at as dear a rate, and in the free enjoyment of Christ consists equally the happiness of both sexes. Pym came to the door of the House, and having told the female zealots that their petition was thankfully accepted, and was presented in a seasonable time, he begged that their prayers for the success of the Commons might follow their petition. Such low arts of popularity were affected, and by such illiberal cant were the unhappy people incited to civil discord and convulsions.

In the mean time, not only all petitions which favored the Church or monarchy, from whatever hand they came, were discouraged, but the petitioners were sent for, imprisoned, and prosecuted as delinquents; and this unequal conduct was openly avowed and justified. Whoever desire a change, it was said, must express their sentiments; for how, otherwise, shall they be known? But those who favor the established government in Church or State should not petition, because they already enjoy what they wish for. <sup>87</sup>

The king had possessed a great party in the Lower House, as appeared in the vote for the remonstrance; and this party, had every new cause of disgust been carefully

<sup>85</sup> Clarendon, vol. ii. p. 412.

<sup>87</sup> Clarendon, vol. ii. p. 449.

<sup>86</sup> Clarendon, vol. ii. p. 413.

avoided, would soon have become the majority, from the odium attending the violent measures embraced by the popular leaders. A great majority he always possessed in the House of Peers, even after the bishops were confined or chased away; and this majority could not have been overcome but by outrages which, in the end, would have drawn disgrace and ruin on those who had incited them. By the present fury of the people, as by an inundation, were all these obstacles swept away, and every rampart of royal authority laid level with the ground. The victory was pursued with impetuosity by the sagacious Commons, who knew the importance of a favorable moment in all popular commotions. The terror of their authority they extended over the whole nation; and all opposition, and even all blame, vented in private conversation, were treated as the most atrocious crimes by these severe inquisitors. Scarcely was it permitted to find fault with the conduct of any particular member, if he made a figure in the House; and reflections thrown out on Pym were at this time treated as breaches of privilege. The populace without doors were ready to execute, from the least hint, the will of their leaders; nor was it safe for any member to approach either House who pretended to control or oppose the general torrent. After so undisguised a manner was this violence conducted that Hollis, in a speech to the Peers, desired to know the names of such members as should vote contrary to the sentiments of the Commons.<sup>88</sup> And Pym said, in the lower House, that the people must not be restrained in the expressions of their just desires.<sup>89</sup>

By the flight of terror or despondency of the king's party, an undisputed majority remained everywhere to their opponents; and the bills sent up by the Commons, which had hitherto stopped with the Peers and would certainly have been rejected, now passed, and were presented for the royal assent. These were the pressing bill with its preamble, and the bill against the votes of the bishops in Parliament. The king's authority was at this time reduced to the lowest ebb. The queen, too, being secretly threatened with an impeachment, and finding no resource in her husband's protection, was preparing to retire into Holland. The rage of the people was, on account of her religion as well as her spirit and activity, universally levelled against her. Usage the most contumelious she had hitherto borne

<sup>88</sup> King's Declaration of the 12th of August, 1642.

<sup>89</sup> *Ibid.*

with silent indignation. The Commons, in their fury against priests, had seized her very confessor; nor would they release him upon her repeated applications. Even a visit of the prince to his mother had been openly complained of, and remonstrances against it had been presented to her.<sup>90</sup> Apprehensive of attacks still more violent, she was desirous of facilitating her escape; and she prevailed with the king to pass these bills, in hopes of appeasing for a time the rage of the multitude.<sup>91</sup>

These new concessions, however important, the king immediately found to have no other effect than all the preceding ones: they were made the foundation of demands still more exorbitant. From the facility of his disposition, from the weakness of his situation, the Commons believed that he could now refuse them nothing. And they regarded the least moment of relaxation in their invasion of royal authority as highly impolitic during the uninterrupted torrent of their successes. The very moment they were informed of these last acquisitions, they affronted the queen by opening some intercepted letters written to her by Lord Digby; they carried up an impeachment against Herbert, attorney-general, for obeying his master's commands in accusing their members.<sup>92</sup> And they prosecuted with fresh vigor their plan of the militia, on which they rested all future hopes of an uncontrolled authority.

The Commons were sensible that monarchical government, which, during so many ages, had been established in England, would soon regain some degree of its former dignity after the present tempest was overblown; nor would all their new-invented limitations be able totally to suppress an authority to which the nation had ever been accustomed. The sword alone, to which all human ordinances must submit, could guard their acquired power, and fully insure to them personal safety against the rising indignation of their sovereign. This point, therefore, became the chief object of their aims. A large magazine of arms being placed in the town of Hull, they despatched thither Sir John Hotham, a gentleman of considerable fortune in the neighborhood, and of an ancient family; and they gave him the authority of governor. They sent orders to Goring, Governor of Portsmouth, to obey no commands but such as he should receive from the Parliament. Not content with having

<sup>90</sup> Nalson, vol. ii. p. 512.

<sup>91</sup> Clarendon, vol. ii. p. 428.

<sup>92</sup> Rushworth, vol. v. p. 489. Clarendon, vol. ii. p. 385.

obliged the king to displace Lunsford, whom he had appointed governor of the Tower;<sup>93</sup> they never ceased soliciting him till he had also displaced Sir John Biron, a man of unexceptionable character, and had bestowed that command on Sir John Conyers, in whom alone they said they could repose confidence. After making a fruitless attempt, in which the Peers refused their concurrence, to give public warning that the people should put themselves in a posture of defence against the enterprises of "Papists and other ill-affected persons,"<sup>94</sup> they now resolved, by a bold and decisive stroke, to seize at once the whole power of the sword, and to confer it entirely on their own creatures and adherents.

The severe votes passed in the beginning of this Parliament against lieutenants and their deputies for exercising powers assumed by all their predecessors had totally disarmed the crown, and had not left in any magistrate military authority sufficient for the defence and security of the nation. To remedy this inconvenience now appeared necessary. A bill was introduced, and passed the two Houses, which restored to lieutenants and deputies the same powers of which the votes of the Commons had bereaved them; but at the same time the names of all the lieutenants were inserted in the bill, and these consisted entirely of men in whom the Parliament could confide. And for their conduct they were accountable, by the express terms of the bill, not to the king, but to the Parliament.

The policy pursued by the Commons, and which had hitherto succeeded to admiration, was to astonish the king by the boldness of their enterprises, to intermingle no sweetness with their severity, to employ expressions no less violent than their pretensions, and to make him sensible in what little estimation they held both his person and his dignity. To a bill so destructive of royal authority they prefixed, with an insolence seemingly wanton, a preamble equally dishonorable to the personal character of the king. These are the words: "Whereas there has been of late a most dangerous and desperate design upon the House of Commons, which we have just cause to believe an effect of the bloody counsels of Papists and other ill-affected persons, who have already raised a rebellion in the kingdom of Ireland; and whereas, by reason of many discoveries, we cannot but fear they will proceed, not only to stir up the like

<sup>93</sup> Rushworth, vol. v. p. 459.

<sup>94</sup> Nalson, vol. ii. p. 850.



rebellions and insurrections in this kingdom of England, but also to back them with forces from abroad,"<sup>95</sup> etc.

Here Charles first ventured to put a stop to his concessions; and that not by a refusal, but a delay. When this demand was made—a demand which, if granted, the Commons justly regarded as the last they should ever have occasion to make—he was at Dover, attending the queen and the Princess of Orange in their embarkation. He replied that he had not now leisure to consider a matter of so great importance, and must therefore respite his answer till his return.<sup>96</sup> The Parliament instantly despatched another message to him, with solicitations still more importunate. They expressed their great grief on account of his majesty's answer to their just and necessary petition. They represented that any delay, during dangers and distractions so great and pressing, was not less unsatisfactory and destructive than an absolute denial. They insisted that it was their duty to see put in execution a measure so necessary for public safety; and they affirmed that the people in many counties had applied to them for that purpose, and in some places were, of themselves and by their own authority, providing against those urgent dangers with which they were threatened.<sup>97</sup>

Even after this insolence the king durst not venture upon a flat denial. Besides excepting to the preamble, which threw such dishonor upon him, and protesting the innocence of his intentions when he entered the House of Commons, he only desired that the military authority, if it were defective, should first be conferred upon the crown; and he promised to bestow commissions, but such as should be revocable at pleasure, on the same persons whom the Parliament had named in the bill.<sup>98</sup> By a former message he had expressed his wishes that they would lay before him, in one view, all the concessions which they deemed requisite for the settlement of the nation. They pretended that they were exposed to perils so dreadful and imminent that they had not leisure for such a work.<sup>99</sup> The expedient proposed by the king seemed a sufficient remedy during this emergency, and yet maintained the prerogatives of the crown entire and unbroken.

But the intentions of the Commons were wide of this purpose, and their panics could be cured by one remedy

<sup>95</sup> Rushworth, vol. v. p. 519.

<sup>98</sup> Rushworth, vol. v. p. 521.

<sup>96</sup> Rushworth, vol. v. p. 521.

<sup>97</sup> Ibid.

<sup>99</sup> Rushworth, vol. v. pp. 516, 517.

alone. They instantly replied that the dangers and distempers of the nation were such as could endure no longer delay; and unless the king speedily complied with their demands, they should be constrained, for the safety of prince and people, to dispose of the militia by the authority of both Houses, and were resolved to do it accordingly. They asserted that those parts of the kingdom which had, from their own authority, put themselves in a posture of defence during these prevailing fears and jealousies had acted suitably to the declarations and directions of both Houses, and conformably to the laws of the kingdom. And while they thus menaced the king with their power, they invited him to fix his residence at London, where they knew he would be entirely at mercy.<sup>100</sup>

"I am so much amazed at this message," said the king, in his prompt reply, "that I know not what to answer. You speak of jealousies and fears! Lay your hands on your hearts, and ask yourselves whether I may not likewise be disturbed with fears and jealousies; and if so, I assure you that this message has nothing lessened them.

"As to the militia, I thought so much of it before I gave that answer, and am so much assured that the answer is agreeable to what in justice or reason you can ask, or I in honor grant, that I shall not alter it in any point.

"For my residence near you, I wish it might be safe and honorable, and that I had no cause to absent myself from Whitehall; ask yourselves whether I have not."<sup>101</sup>

"What would you have? Have I violated your laws? Have I denied to pass any bill for the ease and security of my subjects? I do not ask what you have done for me.

"Have any of my people been transported with fears and apprehensions? I offer as free and general a pardon as yourselves can devise. All this considered, there is a judgment of Heaven upon this nation if these distractions continue.

"God so deal with me and mine as all my thoughts and intentions are upright for the maintenance of the true Protestant profession, and for the observance and preservation of the laws; and I hope God will bless and assist those laws for *my* preservation."<sup>102</sup>

No sooner did the Commons despair of obtaining the king's consent to their bill than they instantly voted that

<sup>100</sup> Rushworth, part iii. vol. i. ch. iv. p. 533.

<sup>101</sup> Rushworth, vol. v. p. 524.

<sup>102</sup> Rushworth, vol. v. p. 532.

those who advised his majesty's answer were enemies to the state and mischievous projectors against the safety of the nation; that this denial is of such dangerous consequence that, if his majesty persist in it, it will hazard the peace and tranquillity of all his kingdoms, unless some speedy remedy be applied by the wisdom and authority of both Houses; and that such of the subjects as have put themselves in a posture of defence against the common danger have done nothing but what is justifiable and approved by the House.<sup>103</sup>

Lest the people might be averse to the seconding of all these usurpations, they were plied anew with rumors of danger, with the terrors of invasion, with the dread of English and Irish Papists; and the most unaccountable panics were spread throughout the nation. Lord Digby having entered Kingston in a coach and six, attended by a few livery servants, the intelligence was conveyed to London; and it was immediately voted that he had appeared in a hostile manner, to the terror and affright of his majesty's subjects, and had levied war against the king and kingdom.<sup>104</sup> Petitions from all quarters loudly demanded of the Parliament to put the nation in a posture of defence; and the county of Stafford, in particular, expressed such dread of an insurrection among the Papists that every man, they said, was constrained to stand upon his guard, not even daring to go to church unarmed.<sup>105</sup>

That the same violence by which he had so long been oppressed might not still reach him and extort his consent to the militia bill, Charles had resolved to remove further from London; and, accordingly, taking the Prince of Wales and the Duke of York along with him, he arrived by slow journeys at York, which he determined for some time to make the place of his residence. The distant parts of the kingdom, being removed from that furious vortex of new principles and opinions which had transported the capital, still retained a sincere regard for the Church and monarchy; and the king here found marks of attachment beyond what he had before expected.<sup>106</sup> From all quarters of England, the prime nobility and gentry, either personally or by messages and letters, expressed their duty towards him, and exhorted him to save himself and them from that ignominious slavery with which they were threatened. The small

<sup>103</sup> Rushworth, part iii. vol. i. ch. iv. p. 524.

<sup>104</sup> Clarendon. Rushworth, part iii. vol. i. ch. ii. p. 495.

<sup>105</sup> Dugdale, p. 89.

<sup>106</sup> Warwick, p. 203.

interval of time which had passed since the fatal accusation of the members had been sufficient to open the eyes of many, and to recover them from the astonishment with which at first they had been seized. One rash and passionate attempt of the king's seemed but a small counterbalance to so many acts of deliberate violence which had been offered to him and every branch of the legislature; and, however sweet the sound of liberty, many resolved to adhere to that moderate freedom transmitted them from their ancestors, and now better secured by such important concessions, rather than, by engaging in a giddy search after more independence, run manifest risk either of incurring a cruel subjection or abandoning all law and order.

Charles, finding himself supported by a considerable party in the kingdom, began to speak in a firmer tone, and to retort the accusations of the Commons with a vigor which he had not before exerted. Notwithstanding their remonstrances and menaces and insults, he still persisted in refusing their bill; and they proceeded to frame an ordinance, in which, by the authority of the two Houses, without the king's consent, they named lieutenants for all the counties, and conferred on them the command of the whole military force, of all the guards, garrisons, and forts of the kingdom. He issued proclamations against this manifest usurpation; and, as he professed a resolution strictly to observe the law himself, so was he determined, he said, to oblige every other person to pay it a like obedience. The name of the king was essential to all laws, and so familiar in all acts of executive authority that the Parliament was afraid, had they totally omitted it, that the innovation would be too sensible to the people. In all commands, therefore, which they conferred, they bound the persons to obey the orders of his majesty, signified by both Houses of Parliament; and, inventing a distinction hitherto unheard of between the office and the person of the king, those very forces which they employed against him, they levied in his name and by his authority.<sup>107</sup>

It is remarkable how much the topics of argument were now reversed between the parties. The king, while he acknowledged his former error of employing a plea of necessity in order to infringe the laws and constitution, warned the Parliament not to imitate an example on which they threw such violent blame; and the Parliament, while they

<sup>107</sup> Rushworth, vol. v. p. 526.



clothed their personal fears or ambition under the appearance of national and imminent danger, made unknowingly an apology for the most exceptionable part of the king's conduct. That the liberties of the people were no longer exposed to any peril from royal authority, so narrowly circumscribed, so exactly defined, so much unsupported by revenue and by military power, might be maintained upon very plausible topics; but that the danger, allowing it to have any existence, was not of that kind—great, urgent, inevitable, which dissolves all law and levels all limitations—seems apparent from the simplest view of these transactions. So obvious, indeed, was the king's present inability to invade the constitution that the fears and jealousies which operated on the people, and pushed them so furiously to arms, were undoubtedly not of a civil, but of a religious nature. The distempered imaginations of men were agitated with a continual dread of popery, with a horror against prelacy, with an antipathy to ceremonies and the liturgy, and with a violent affection for whatever was most opposite to these objects of aversion. The fanatical spirit let loose, confounded all regard to ease, safety, interest, and dissolved every moral and civil obligation.<sup>108</sup>

Each party was now willing to throw on its antagonist the odium of commencing a civil war; but both of them prepared for an event which they deemed inevitable. To gain the people's favor and good opinion was the chief point on both sides. Never was there a people less corrupted by vice and more actuated by principle than the English during that period. Never were there individuals who possessed more capacity, more courage, more public spirit, more disinterested zeal. The infusion of one ingredient in too large a proportion had corrupted all these noble principles and converted them into the most virulent poison. To determine his choice in the approaching contests, every man hearkened with avidity to the reasons proposed on both sides. The war of the pen preceded that of the sword, and daily sharpened the humors of the opposite parties. Besides private adventurers without number, the king and Parliament themselves carried on the controversy by messages, remonstrances, and declarations, where the nation was really the party to whom all arguments were addressed. Charles had here a double advantage. Not only his cause was more favorable, as supporting the ancient government in Church and State

<sup>108</sup> See note [U] at the end of the volume.

against the most illegal pretensions, it was also defended with more art and eloquence. Lord Falkland had accepted the office of secretary—a man who adorned the purest virtue with the richest gifts of nature and the most valuable acquisitions of learning. By him, assisted by the king himself, were the memorials of the royal party chiefly composed. So sensible was Charles of his superiority in this particular that he took care to disperse everywhere the papers of the Parliament together with his own, that the people might be the more enabled by comparison to form a judgment between them. The Parliament, while they distributed copies of their own, were anxious to suppress all the king's compositions.<sup>109</sup>

To clear up the principles of the constitution, to mark the boundaries of the powers intrusted by law to the several members, to show what great improvements the whole political system had received from the king's late concessions, to demonstrate his entire confidence in his people and his reliance on their affections, to point out the ungrateful returns which had been made him, and the enormous encroachments, insults, and indignities to which he had been exposed—these were the topics which, with so much justness of reasoning and propriety of expression, were insisted on in the king's declarations and remonstrances.<sup>110</sup>

Though these writings were of consequence, and tended much to reconcile the nation to Charles, it was evident that they would not be decisive, and that keener weapons must determine the controversy. To the ordinance of the Parliament concerning the militia, the king opposed his commissions of array. The counties obeyed the one or the other, according as they stood affected. And in many counties, where the people were divided, mobbish combats and skirmishes ensued.<sup>111</sup> The Parliament, on this occasion, went so far as to vote "that when the Lords and Commons in Parliament, which is the supreme court of judicature, shall declare what the law of the land is, to have this not only questioned, but contradicted, is a high breach of their privileges."<sup>112</sup> This was a plain assuming of the whole legislative authority, and exerting it in the most material article, the government of the militia. Upon the same principles, they pretended, by a verbal criticism on the tense of

<sup>109</sup> Rushworth, vol. v. p. 751.

<sup>111</sup> May, bk. ii. p. 99.

<sup>110</sup> See note [X] at the end of the volume.

<sup>112</sup> Rushworth, vol. v. p. 534.

a Latin verb, to ravish from the king his negative voice in the legislature.<sup>113</sup>

The magazine of Hull contained the arms of all the forces levied against the Scots; and Sir John Hotham, the governor, though he had accepted of a commission from the Parliament, was not thought to be much disaffected to the Church and monarchy. Charles, therefore, entertained hopes that, if he presented himself at Hull before the commencement of hostilities, Hotham, overawed by his presence, would admit him with his retinue; after which he might easily render himself master of the place. But the governor was on his guard. He shut the gates and refused to receive the king, who desired leave to enter with twenty persons only. Charles immediately proclaimed him traitor, and complained to the Parliament of his disobedience. The Parliament avowed and justified the action.<sup>114</sup>

The county of York levied a guard for the king of six hundred men; for the kings of England had hitherto lived among their subjects like fathers among their children, and had derived all their security from the dignity of their character and from the protection of the laws. The two Houses, though they had already levied a guard for themselves, had attempted to seize all the military power, all the navy, and all the forts of the kingdom; and had openly employed their authority in every kind of warlike preparations, yet immediately voted "that the king, seduced by wicked counsel, intended to make war against his Parliament, who, in all their consultations and actions, had proposed no other end but the care of his kingdoms and the performance of all duty and loyalty to his person; that this attempt was a breach of the trust reposed in him by his people, contrary to his oath, and tending to a dissolution of the government; and that whoever should assist him in such a war were traitors by the fundamental laws of the kingdom."<sup>115</sup>

The armies, which had been everywhere raised on pretence of the service in Ireland, were henceforth more openly enlisted by the Parliament for their own purposes, and the

<sup>113</sup> The king, by his coronation oath, promises that he would maintain the laws and customs which the people had chosen, *quas vulgus elegerit*; the Parliament pretended that *elegerit* meant *shall choose*, and consequently that the king had no right to refuse any bills which should be presented him. See Rushworth, vol. v. p. 580.

<sup>114</sup> Whitlocke, p. 55. Rushworth, vol. v. p. 565, etc. May, bk. ii. p. 51.

<sup>115</sup> Whitlocke, p. 57. Rushworth, vol. v. p. 717. Dugdale, p. 93. May, bk. ii. p. 54.

command of them was given to the Earl of Essex. In London, no less than four thousand men enlisted in one day.<sup>116</sup> And the Parliament voted a declaration, which they required every member to subscribe, that they would live and die with their general.

They issued orders for bringing in loans of money and plate, in order to maintain forces which should defend the king and both Houses of Parliament; for this style they still preserved. Within ten days, vast quantities of plate were brought to their treasurers. Hardly were there men enough to receive it or room sufficient to stow it; and many, with regret, were obliged to carry back their offerings and wait till the treasurers could find leisure to receive them. Such zeal animated the pious partisans of the Parliament, especially in the city! The women gave up all the plate and ornaments of their houses, and even their silver thimbles and bodkins, in order to support the *good cause* against the malignants.<sup>117</sup>

Meanwhile, the splendor of the nobility with which the king was environed much eclipsed the appearance at Westminster. Lord Keeper Littleton, after sending the great seal before him, had fled to York. Above forty peers of the first rank attended the king,<sup>118</sup> while the House of Lords seldom consisted of more than sixteen members. Near the moiety, too, of the lower House absented themselves from counsels which they deemed so full of danger. The Commons sent up an impeachment against nine peers for deserting their duty in Parliament. Their own members, also, who should return to them, they voted not to admit till satisfied concerning the reason of their absence.

Charles made a declaration to the peers who attended him that he expected from them no obedience to any commands which were not warranted by the laws of the land. The peers answered this declaration by a protest, in which they declared their resolution to obey no commands but such as were warranted by that authority.<sup>119</sup> By these deliberate engagements, so worthy of an English prince and English nobility, they meant to confound the furious and tumultuary resolutions taken by the Parliament.

The queen, disposing of the crown jewels in Holland, had been enabled to purchase a cargo of arms and am-

<sup>116</sup> Vicar's God in the Mount.

<sup>117</sup> Whitlocke, p. 58. Dugdale, pp. 96, 99.

<sup>118</sup> May, bk. ii. p. 59.

<sup>119</sup> Rushworth, vol. v. pp. 626, 627. May, bk. ii. p. 86. Warwick, p. 210.



munition. Part of these, after escaping many perils, arrived safely to the king. His preparations were not near so forward as those of the Parliament. In order to remove all jealousy, he had resolved that their usurpations and illegal pretensions should be apparent to the whole world, and thought that to recover the confidence of the people was a point much more material to his interest than the collecting of any magazines, stores, or armies, which might breed apprehensions of violent or illegal counsels. But the urgent necessity of his situation no longer admitted of delay. He now prepared himself for defence. With a spirit, activity, and address which neither the one party apprehended nor the other expected, he employed all the advantages which remained to him, and roused up his adherents to arms. The resources of this prince's genius increased in proportion to his difficulties, and he never appeared greater than when plunged into the deepest perils and distresses. From the mixed character, indeed, of Charles arose in part the misfortunes in which England was at this time involved. His political errors, or rather weaknesses, had raised him inveterate enemies; his eminent moral virtues had procured him zealous partisans; and between the hatred of the one and the affections of the other was the nation agitated with the most violent convulsions.

That the king might despair of all composition, the Parliament sent him the conditions on which they were willing to come to an agreement. Their demands, contained in nineteen propositions, amounted to a total abolition of monarchical authority. They required that no man should remain in the council who was not agreeable to Parliament; that no deed of the king's should have validity unless it passed the council and was attested under their hand; that all the officers of state and principal judges should be chosen with consent of Parliament, and enjoy their offices for life; that none of the royal family should marry without consent of Parliament or council; that the laws should be executed against Catholics; that the votes of popish lords should be excluded; that the reformation of the liturgy and Church government should have place according to advice of Parliament; that the ordinance with regard to the militia be submitted to; that the justice of Parliament pass upon all delinquents; that a general pardon be granted, with such exceptions as should be advised by Parliament; that the forts and castles be disposed of by consent of Parlia-

ment; and that no peer be made but with consent of both Houses.<sup>120</sup>

“Should I grant these demands,” said the king, in reply, “I may be waited on bareheaded; I may have my hand kissed; the title of majesty may be continued to me; and ‘The king’s authority, signified by both Houses,’ may still be the style of your commands; I may have swords and maces carried before me, and please myself with the sight of a crown and sceptre (though even these twigs would not long flourish when the stock upon which they grew was dead); but as to true and real power, I should remain but the outside, but the picture, but the sign of a king.”<sup>121</sup> War on any terms was esteemed by the king and all his counsellors preferable to so ignominious a peace. Charles accordingly resolved to support his authority by arms. “His towns,” he said, “were taken from him, his ships, his arms, his money; but there still remained to him a good cause and the hearts of his loyal subjects, which, with God’s blessing, he doubted not, would recover all the rest.” Collecting, therefore, some forces, he advanced southwards; and at Nottingham he erected his royal standard, the open signal of discord and civil war throughout the kingdom.

<sup>120</sup> Rushworth, vol. v. p. 722. May, bk. ii. p. 54.

<sup>121</sup> Rushworth, vol. v. p. 728. Warwick, p. 189.

## CHAPTER LVI.

COMMENCEMENT OF THE CIVIL WAR.—STATE OF PARTIES.—  
 BATTLE OF EDGEHILL.—NEGOTIATION AT OXFORD.—VIC-  
 TORIES OF THE ROYALISTS IN THE WEST.—BATTLE OF  
 STRATTON — OF LANSDOWN — OF ROUNDWAY DOWN.—  
 DEATH OF HAMBDEN.—BRISTOL TAKEN.—SIEGE OF GLOU-  
 CESTER.—BATTLE OF NEWBURY.—ACTIONS IN THE NORTH  
 OF ENGLAND.—SOLEMN LEAGUE AND COVENANT.—ARMING  
 OF THE SCOTS.—STATE OF IRELAND.

[1642.] WHEN two names so sacred in the English constitution as those of *King* and *Parliament* were placed in opposition, no wonder the people were divided in their choice, and were agitated with the most violent animosities and factions.

The nobility and more considerable gentry, dreading a total confusion of rank from the fury of the populace, enlisted themselves in defence of the monarch, from whom they received, and to whom they communicated their lustre. Animated with the spirit of loyalty derived from their ancestors, they adhered to the ancient principles of the constitution, and valued themselves on exerting the maxims as well as inheriting the possessions of the old English families; and while they passed their time mostly at their country-seats, they were surprised to hear of opinions prevailing with which they had ever been unacquainted, and which implied not a limitation, but an abolition, almost total, of monarchical authority.

The city of London, on the other hand, and most of the great corporations, took part with the Parliament, and adopted with zeal those democratical principles on which the pretensions of that assembly were founded. The government of cities, which even under absolute monarchies is commonly republican, inclined them to this party: the small hereditary influence which can be retained over the industrious inhabitants of towns, the natural independence of citizens, and the force of popular currents over those more numerous associations of mankind—all these causes gave, there,

authority to the new principles propagated throughout the nation. Many families, too, which had lately been enriched by commerce saw with indignation that, notwithstanding their opulence, they could not raise themselves to a level with the ancient gentry; they therefore adhered to a power by whose success they hoped to acquire rank and consideration;<sup>1</sup> and the new splendor and glory of the Dutch commonwealth, where liberty so happily supported industry, made the commercial part of the nation desire to see a like form of government established in England.

The genius of the two religions, so closely at this time interwoven with politics, corresponded exactly to these divisions. The Presbyterian religion was new, republican, and suited to the genius of the populace; the other had an air of greater show and ornament, was established on ancient authority, and bore an affinity to the kingly and aristocratical parts of the constitution. The devotees of presbytery became, of course, zealous partisans of the Parliament; the friends of the Episcopal Church valued themselves on defending the rights of monarchy.

Some men also there were of liberal education who, being either careless or ignorant of those disputes bandied about by the clergy on both sides, aspired to nothing but an easy enjoyment of life amid the jovial entertainment and social intercourse of their companions. All these flocked to the king's standard, where they breathed a freer air, and were exempted from that rigid preciseness and melancholy austerity which reigned among the parliamentary party.

Never was a quarrel more unequal than seemed at first that between the contending parties; almost every advantage lay against the royal cause. The king's revenue had been seized, from the beginning, by the Parliament, who issued out to him, from time to time, small sums for his present subsistence; and as soon as he withdrew to York they totally stopped all payments. London and all the seaports, except Newcastle, being in their hands, the customs yielded them a certain and considerable supply of money; and all contributions, loans, and impositions were more easily raised from the cities which possessed the ready money, and where men lived under their inspection, than they could be levied by the king in those open countries which after some time declared for him.

The seamen naturally followed the disposition of the

<sup>1</sup> Clarendon, vol. iii. p. 4.



seaports to which they belonged ; and the Earl of Northumberland, lord admiral, having embraced the party of the Parliament, had appointed, at their desire, the Earl of Warwick to be his lieutenant, who at once established his authority in the fleet, and kept the entire dominion of the sea in the hands of that assembly.

All the magazines of arms and ammunition were from the first seized by the Parliament ; and their fleet intercepted the greater part of those which were sent by the queen from Holland. The king was obliged, in order to arm his followers, to borrow the weapons of the trained bands, under promise of restoring them as soon as peace should be settled in the kingdom.

The veneration for parliaments was at this time extreme throughout the nation.<sup>2</sup> The custom of reviling those assemblies for corruption, as it had no pretence, so was it unknown during all former ages. Few or no instances of their encroaching ambition or selfish claims had hitherto been observed. Men considered the House of Commons in no other light than as the representatives of the nation, whose interest was the same with that of the public, who were the eternal guardians of law and liberty, and whom no motive but the necessary defence of the people could ever engage in an opposition to the crown. The torrent, therefore, of general affection ran to the Parliament. What is the great advantage of popularity, the privilege of affixing epithets, fell of course to that party. The king's adherents were the *Wicked* and the *Malignant* ; their adversaries were *Godly* and the *Well-affected*. And as the force of the cities was more united than that of the country, and at once gave shelter and protection to the parliamentary party, who could easily suppress the royalists in their neighborhood, almost the whole kingdom, at the commencement of the war, seemed to be in the hands of the Parliament.<sup>3</sup>

What alone gave the king some compensation for all the advantages possessed by his adversaries was the nature and qualities of his adherents. More bravery and activity were hoped for, from the generous spirit of the nobles and gentry, than from the base disposition of the multitude ; and as the men of estates, at their own expense, levied and armed their tenants, besides an attachment to their masters, greater force and courage were to be expected in these rustic troops than in the vicious and enervated populace of cities.

<sup>2</sup> Walker, p. 336.

<sup>3</sup> Warwick, p. 318.

The neighboring states of Europe, being engaged in violent wars, little interested themselves in these civil commotions; and this island enjoyed the singular advantage (for such it surely was) of fighting out its own quarrels without the interposition of foreigners. France, from policy, had fomented the first disorders in Scotland, had sent over arms to the Irish rebels, and continued to give countenance to the English Parliament; Spain, from bigotry, furnished the Irish with some supplies of money and arms. The Prince of Orange, closely allied to the crown, encouraged English officers who served in the Low Countries to enlist in the king's army; the Scottish officers, who had been formed in Germany and in the late commotions, chiefly took part with the Parliament.

The contempt entertained by the Parliament for the king's party was so great that it was the chief cause of pushing matters to such extremities against him; and many believed that he never would attempt resistance, but must soon yield to the pretensions, however enormous, of the two Houses. Even after his standard was erected, men could not be brought to apprehend the danger of a civil war; nor was it imagined that he would have the imprudence to enrage his implacable enemies, and render his own condition more desperate by opposing a force which was so much superior. The low condition in which he appeared at Nottingham confirmed all these hopes. His artillery, though far from numerous, had been left at York for want of horses to transport it. Besides the trained bands of the country raised by Sir John Digby, the sheriff, he had not gotten together above three hundred infantry. His cavalry in which consisted his chief strength, exceeded not eight hundred, and were very ill provided with arms. The forces of the Parliament lay at Northampton, within a few days' march of him, and consisted of above six thousand men, well armed and well appointed. Had these troops advanced upon him, they must soon have dissipated the small force which he had assembled. By pursuing him in his retreat, they had so discredited his cause and discouraged his adherents as to have forever prevented his collecting an army able to make head against them. But the Earl of Essex, the parliamentary general, had not yet received any orders from his masters.<sup>4</sup> What rendered them so backward, after such precipitate steps as they had formerly taken,

<sup>4</sup> Clarendon, vol. iii pp. 1, 2.

is not easily explained. It is probable that in the extreme distress of his party consisted the present safety of the king. The Parliament hoped that the royalists, sensible of their feeble condition, and convinced of their slender resources, would disperse of themselves, and leave their adversaries a victory, so much the more complete and secure as it would be gained without the appearance of force and without bloodshed. Perhaps, too, when it became necessary to make the concluding step, and offer barefaced violence to their sovereign, their scruples and apprehensions, though not sufficient to overcome their resolutions, were able to retard the execution of them.<sup>5</sup>

Sir Jacob Astley, whom the king had appointed major-general of his intended army, told him that he could not give him assurance but he might be taken out of his bed if the rebels should make a brisk attempt to that purpose. All the king's attendants were full of well-grounded apprehensions. Some of the lords having desired that a message might be sent to the Parliament with overtures to a treaty, Charles, who well knew that an accommodation, in his present condition, meant nothing but a total submission, hastily broke up the council, lest this proposal should be further insisted on. But next day, the Earl of Southampton, whom no one could suspect of base or timid sentiments, having offered the same advice in council, it was hearkened to with more coolness and deliberation. He urged that though such a step would probably increase the insolence of the Parliament, this was so far from being an objection that such dispositions must necessarily turn to the advantage of the royal cause; that if they refused to treat, which was more probable, the very sound of peace was so popular that nothing could more disgust the nation than such haughty severity; that if they admitted of a treaty, their proposals, considering their present situation, would be so exorbitant as to open the eyes of their most partial adherents, and turn the general favor to the king's party; and that, at worst, time might be gained by this expedient, and a delay of the imminent danger with which the king was at present threatened.<sup>6</sup>

Charles, on assembling the council, had declared against all advances towards an accommodation, and had said that, having nothing now left him but his honor, this last possession he was resolved steadily to preserve, and rather to

<sup>5</sup> Clarendon, vol. iii. p. 18.

<sup>6</sup> Clarendon, vol. iii. p. 7.

perish than yield any further to the pretensions of his enemies.<sup>7</sup> But by the unanimous desire of the councillors, he was prevailed on to embrace Southampton's advice. That nobleman, therefore, with Sir John Colepeper and Sir William Uvedale, was despatched to London with offers of a treaty.<sup>8</sup> The manner in which they were received gave little hopes of success. Southampton was not allowed by the Peers to take his seat, but was ordered to deliver his message to the usher and immediately to depart the city; the Commons showed little better disposition towards Colepeper and Uvedale.<sup>9</sup> Both Houses replied that they could admit of no treaty with the king till he took down his standard and recalled his proclamations, in which the Parliament supposed themselves to be declared traitors. The king, by a second message, denied any such intention against the two Houses; but offered to recall these proclamations, provided the Parliament agreed to recall theirs, in which his adherents were declared traitors. They desired him in return to dismiss his forces, to reside with his Parliament, and to give up delinquents to their justice—that is, abandon himself and his friends to the mercy of his enemies.<sup>10</sup> Both parties flattered themselves that, by these messages and replies they had gained the ends which they proposed.<sup>11</sup> The king believed that the people were made sufficiently sensible of the Parliament's insolence and aversion to peace; the Parliament intended, by this vigor in their resolutions, to support the vigor of their military operations.

The courage of the Parliament was increased, besides their great superiority of force, by two recent events which had happened in their favor. Goring was governor of Portsmouth, the best fortified town of the kingdom, and, by its situation, of great importance. This man seemed to have rendered himself an implacable enemy to the king by betraying, probably magnifying, the secret cabals of the army; and the Parliament thought that his fidelity to them might, on that account, be entirely depended on. But the same levity of mind still attended him, and the same disregard to engagements and professions. He took underhand his measures with the court, and declared against the Parliament. But though he had been sufficiently supplied with money, and long before knew his danger, so small was his

<sup>7</sup> Clarendon, vol. iii. p. 7.

<sup>9</sup> Clarendon, vol. iii. p. 10.

<sup>11</sup> Whitlocke, p. 59.

<sup>8</sup> Rushworth, vol. v. p. 784.

<sup>10</sup> Rushworth, vol. v. p. 786. Dugdale, p. 102.



foresight that he had left the place entirely destitute of provisions, and in a few days he was obliged to surrender to the parliamentary forces.<sup>12</sup>

The Marquis of Hertford was a nobleman of the greatest quality and character in the kingdom, and, equally with the king, descended by a female, from Henry VII. During the reign of James he had attempted, without having obtained the consent of that monarch, to marry Arabella Stuart, a lady nearly related to the crown; and, upon discovery of his intentions, had been obliged for some time to fly the kingdom. Ever after, he was looked on with an evil eye at court, from which, in a great measure, he withdrew; and, living in an independent manner, he addicted himself entirely to literary occupations and amusements. In proportion as the king declined in popularity, Hertford's character flourished with the people; and when this Parliament assembled, no nobleman possessed more general favor and authority. By his sagacity he soon perceived that the Commons, not content with correcting the abuses of government, were carried by the natural current of power and popularity into the opposite extreme, and were committing violations no less dangerous than the former upon the English constitution. Immediately he devoted himself to the support of the king's falling authority, and was prevailed with to be governor to the young prince, and reside at court, to which, in the eyes of all men, he gave by his presence a new lustre and authority. So high was his character for mildness and humanity that he still preserved, by means of these popular virtues, the public favor; and every one was sensible of the true motive of his change. Notwithstanding his habits of ease and study, he now exerted himself in raising an army for the king; and being named general of the western counties, where his interests chiefly lay, he began to assemble forces in Somersetshire. By the assistance of Lord Seymour, Lord Paulet, John Digby (son of the Earl of Bristol), Sir Francis Hawley, and others, he had drawn together some appearance of an army; when the Parliament, apprehensive of the danger, sent the Earl of Bedford with a considerable force against him. On his approach, Hertford was obliged to retire into Sherborne Castle; and, finding that place untenable, he himself passed over into Wales, leaving Sir Ralph Hopton, Sir John Berkeley, Digby, and other officers, with their horse, consisting of about a hun-

<sup>12</sup> Rushworth, vol. v. p. 683. Whitlocke, p. 60. Clarendon, vol. iii. p. 19.

dred and twenty, to march into Cornwall, in hopes of finding that county better prepared for their reception.<sup>13</sup>

All the dispersed bodies of the parliamentary army were now ordered to march to Northampton; and the Earl of Essex, who had joined them, found the whole to amount to fifteen thousand men.<sup>14</sup> The king, though his camp had been gradually reinforced from all quarters, was sensible that he had no army which could cope with so formidable a force; and he thought it prudent, by slow marches, to retire to Derby, thence to Shrewsbury, in order to countenance the levies which his friends were making in those parts. At Wellington, a day's march from Shrewsbury, he made a rendezvous of all his forces, and caused his military orders to be read at the head of every regiment. That he might bind himself by reciprocal ties, he solemnly made the following declaration before his whole army:

"I do promise, in the presence of Almighty God, and as I hope for his blessing and protection, that I will, to the utmost of my power, defend and maintain the true reformed Protestant religion, established in the Church of England, and, by the grace of God, in the same will live and die.

"I desire that the laws may ever be the measure of my government, and that the liberty and property of the subject may be preserved by them with the same care as my own just rights. And if it please God, by his blessing on this army, raised for my necessary defence, to preserve me from the present rebellion, I do solemnly and faithfully promise, in the sight of God, to maintain the just privileges and freedom of Parliament, and to govern to the utmost of my power, by the known statutes and customs of the kingdom, and particularly to observe inviolably the laws to which I have given my consent this Parliament. Meanwhile, if this emergency, and the great necessity to which I am driven, beget any violation of law, I hope it shall be imputed by God and man to the authors of this war; not to me, who have so earnestly labored to preserve the peace of the kingdom.

"When I willingly fail in these particulars, I shall expect no aid or relief from man, nor any protection from above; but in this resolution I hope for the cheerful assistance of all good men, and am confident of the blessing of Heaven."<sup>15</sup>

<sup>13</sup> Clarendon, vol. vi. pp. 2, 3, etc.

<sup>15</sup> Clarendon, vol. iii. pp. 16, 17. Dugdale, p. 104.

<sup>14</sup> Whitlocke, p. 60.

Though the concurrence of the Church undoubtedly increased the king's adherents, it may safely be affirmed that the high monarchical doctrines, so much inculcated by the clergy, had never done him any real service. The bulk of that generous train of nobility and gentry who now attended the king in his distresses breathed the spirit of liberty as well as of loyalty; and in the hopes alone of his submitting to a legal and limited government were they willing, in his defence to sacrifice their lives and fortunes.

While the king's army lay at Shrewsbury, and he was employing himself in collecting money, which he received, though in no great quantities, by voluntary contributions and by the plate of the universities, which was sent him, the news arrived of an action, the first which had happened in these wars, and where he was successful.

On the appearance of commotions in England, the Princes Rupert and Maurice, sons of the unfortunate Palatine, had offered their service to the king; and the former at that time commanded a body of horse, which had been sent to Worcester in order to watch the motions of Essex, who was marching towards that city. No sooner had the prince arrived than he saw some cavalry of the enemy approaching the gates. Without delay, he briskly attacked them, as they were defiling from a lane and forming themselves. Colonel Sandys, who led them, and who fought with valor, being mortally wounded, fell from his horse. The whole party was routed, and was pursued above a mile. The prince, hearing of Essex's approach, returned to the main body.<sup>16</sup> This rencounter, though in itself of small importance, mightily raised the reputation of the royalists, and acquired to Prince Rupert the character of promptitude and courage—qualities which he eminently displayed during the whole course of the war.

The king, on mustering his army, found it to amount to ten thousand men. The Earl of Lindsey, who in his youth had sought experience of military service in the Low Countries,<sup>17</sup> was general; Prince Rupert commanded the horse; Sir Jacob Astley, the foot; Sir Arthur Aston, the dragoons; Sir John Heydon, the artillery. Lord Bernard Stuart was at the head of a troop of guards. The estates and revenue of this single troop, according to Lord Clarendon's computation, were at least equal to those of all the

<sup>16</sup> Clarendon, vol. iii. p. 25. May, bk. iii. p. 10.

<sup>17</sup> He was then Lord Willoughby.

members who, at the commencement of war, voted in both Houses. Their servants, under the command of Sir William Killigrew, made another troop, and always marched with their masters.<sup>18</sup>

With this army the king left Shrewsbury, resolving to give battle as soon as possible to the army of the Parliament, which, he heard, was continually augmenting by supplies from London. In order to bring on an action, he directed his march towards the capital, which he knew the enemy would not abandon to him. Essex had now received his instructions. The import of them was, to present a most humble petition to the king, and to rescue him and the royal family from those desperate malignants who had seized their persons.<sup>19</sup> Two days after the departure of the royalists from Shrewsbury, he left Worcester. Though it be commonly easy in civil wars to get intelligence, the armies were within six miles of each other ere either of the generals was acquainted with the approach of his enemy. Shrewsbury and Worcester, the places from which they set out, are not above twenty miles distant; yet had the two armies marched ten days in this mutual ignorance. So much had military skill, during a long peace, decayed in England.<sup>20</sup>

The royal army lay near Banbury; that of the Parliament at Keinton, in the county of Warwick. Prince Rupert sent intelligence of the enemy's approach. Though the day was far advanced, the king resolved upon the attack. Essex drew up his men to receive him. Sir Faithful Fortescue, who had levied a troop for the Irish wars, had been obliged to serve in the parliamentary army, and was now posted on the left wing, commanded by Ramsay, a Scotchman. No sooner did the king's army approach than Fortescue, ordering his troops to discharge their pistols in the ground, put himself under the command of Prince Rupert. Partly from this incident, partly from the furious shock made upon them by the prince, that whole wing of cavalry immediately fled and were pursued for two miles. The right wing of the Parliament's army had no better success. Chased from their ground by Wilmot and Sir Arthur Aston, they also took to flight. The king's body of reserve, commanded by Sir John Biron, judging,

<sup>18</sup> Clarendon, vol. iii. p. 41. Warwick, p. 231.

<sup>19</sup> Whitlocke, p. 59. Clarendon, vol. iii. pp. 27, 28, etc.

<sup>20</sup> Clarendon, vol. iii. p. 44.



like raw soldiers, that all was over, and impatient to have some share in the action, heedlessly followed the chase which their left wing had precipitately led them. Sir William Balfour, who commanded Essex's reserve, perceived the advantage; he wheeled about upon the king's infantry, now quite unfurnished of horse, and he made great havoc among them. Lindesey, the general, was mortally wounded and taken prisoner. His son, endeavoring his rescue, fell likewise into the enemy's hands. Sir Edmund Verney, who carried the king's standard, was killed, and the standard taken, but it was afterwards recovered. In this situation Prince Rupert, on his return, found affairs. Everything bore the appearance of a defeat instead of a victory, with which he had hastily flattered himself. Some advised the king to leave the field, but that prince rejected such pusillanimous counsel. The two armies faced each other for some time, and neither of them retained courage sufficient for a new attack. All night they lay under arms, and next morning found themselves in sight of each other. General as well as soldier, on both sides, seemed averse to renew the battle. Essex first drew off and retired to Warwick. The king returned to his former quarters. Five thousand men are said to have been found dead on the field of battle; and the loss of the two armies, as far as we can judge by the opposite accounts, was nearly equal. Such was the event of this first battle, fought at Keinton, or Edgehill.<sup>21</sup>

Some of Essex's horse, who had been driven off the field in the beginning of the action, flying to a great distance, carried news of a total defeat, and struck a mighty terror into the city and Parliament. After a few days a more just account arrived, and then the Parliament pretended to a complete victory.<sup>22</sup> The king also, on his part, was not wanting to display his advantages, though, except the taking of Banbury, a few days after, he had few marks of victory to boast of. He continued his march and took possession of Oxford, the only town in his dominions which was altogether at his devotion.

After the royal army was recruited and refreshed, as the weather still continued favorable, it was again put in motion. A party of horse approached to Reading, of which Martin was appointed governor by the Parliament. Both governor and garrison were seized with a panic, and fled

<sup>21</sup> Clarendon, vol. iii. p. 44, etc. May, bk. iii. p. 16, etc.

<sup>22</sup> Whitlocke, p. 61. Clarendon, vol. iii. p. 59.

with precipitation to London. The king, hoping that everything would yield before him, advanced with his whole army to Reading. The Parliament, who, instead of their fond expectations that Charles would never be able to collect an army, had now the prospect of a civil war, bloody and of uncertain event, were further alarmed at the near approach of the royal army, while their own forces lay at a distance. They voted an address for a treaty. The king's nearer approach to Colebroke quickened their advances for a peace. Northumberland and Pembroke, with three commoners, presented the address of both Houses, in which they besought his majesty to appoint some convenient place where he might reside till committees could attend him with proposals. The king named Windsor, and desired that their garrison might be removed and his own troops admitted into that castle.<sup>23</sup>

Meanwhile Essex, advancing by hasty marches, had arrived at London. But neither the presence of his army nor the precarious hope of a treaty retarded the king's approaches. Charles attacked, at Brentford, two regiments quartered there, and, after a sharp action, beat them from that village and took about five hundred prisoners. The Parliament had sent orders to forbear all hostilities, and had expected the same from the king, though no stipulation to that purpose had been mentioned by their commissioners. Loud complaints were raised against this attack, as if it had been the most apparent perfidy and breach of treaty.<sup>24</sup> Inflamed with resentment, as well as anxious for its own safety, the city marched its trained bands in excellent order, and joined the army under Essex. The parliamentary army now amounted to above twenty-four thousand men, and was much superior to that of the king.<sup>25</sup> After both armies had faced each other for some time, Charles drew off and retired to Reading, thence to Oxford.

While the principal armies on both sides were kept in inaction by the winter season, the king and Parliament were employed in real preparations for war, and in seeming advances towards peace. By means of contributions or assessments, levied by the horse, Charles maintained his cavalry. By loans and voluntary presents sent him from all parts of the kingdom he supported his infantry; but the supplies were still very unequal to the necessities under which

<sup>23</sup> Whitlocke, p. 62. Clarendon, vol. iii. p. 73.

<sup>24</sup> Whitlocke, p. 62. Clarendon, vol. iii. p. 75.

<sup>25</sup> Whitlocke, p. 62.

he labored.<sup>26</sup> The Parliament had much greater resources for money; and had, by consequence, every military preparation in much greater order and abundance. Besides an imposition levied in London, amounting to the five-and-twentieth part of every one's substance, they established on that city a weekly assessment of ten thousand pounds, and another of twenty-three thousand five hundred and eighteen on the rest of the kingdom;<sup>27</sup> and as their authority was at present established in most counties, they levied these taxes with regularity, though they amounted to sums much greater than the nation had formerly paid to the public.

[1643.] The king and Parliament sent reciprocally their demands; and a treaty commenced, but without any cessation of hostilities, as had at first been proposed. The Earl of Northumberland and four members of the lower House came to Oxford as commissioners.<sup>28</sup> In this treaty the king perpetually insisted on the re-establishment of the crown in its legal powers, and on the restoration of his constitutional prerogative.<sup>29</sup> The Parliament still required new concessions and a further abridgment of regal authority as a more effectual remedy to their fears and jealousies. Finding the king supported by more forces and a greater party than they had ever looked for, they seemingly abated somewhat of those extravagant conditions which they had formerly claimed, but their demands were still too high for an equal treaty. Besides other articles, to which a complete victory alone could entitle them, they required the king in express terms utterly to abolish episcopacy—a demand which before they had only insinuated; and they required that all other ecclesiastical controversies should be determined by *their* assembly of divines; that is, in the manner most repugnant to the inclinations of the king and all his partisans. They insisted that he should submit to the punishment of his most faithful adherents. And they desired him to acquiesce in their settlement of the militia, and to confer on their adherents the entire power of the sword. In answer to the king's proposal that his magazines, towns, forts, and ships should be restored to him, the Parliament required that they should be put into such hands as they could confide in.<sup>30</sup> The nineteen propositions which they formerly sent to the king

<sup>26</sup> Clarendon, vol. iii. p. 87.

<sup>28</sup> Whitlocke, p. 64.

<sup>30</sup> Rushworth, vol. vi. p. 166. Clarendon, vol. iii. p. 119.

<sup>27</sup> Clarendon, vol. iii. p. 171.

<sup>29</sup> Rushworth, vol. vi. p. 202.

showed their *inclination* to abolish monarchy; they only asked, at present, the *power* of doing it. And having now, in the eye of the law, been guilty of treason by levying war against their sovereign, it is evident that their fears and jealousies must, on that account, have multiplied extremely, and have rendered their personal safety, which they interwove with the safety of the nation, still more incompatible with the authority of the monarch. Though the gentleness and lenity of the king's temper might have insured them against schemes of future vengeance, they preferred, as is, no doubt, natural, an independent security, accompanied, too, with sovereign power to the station of subjects, and that not entirely guarded from all apprehensions of danger.<sup>31</sup>

The conferences went no further than the first demand on each side. The Parliament, finding that there was no likelihood of coming to any agreement, suddenly recalled their commissioners.

A military enterprise, which they had concerted early in the spring, was immediately undertaken. Reading, the garrison of the king's which lay nearest to London, was esteemed a place of considerable strength in that age, when the art of attacking towns was not well understood in Europe, and was totally unknown in England. The Earl of Essex sat down before this place with an army of eighteen thousand men, and carried on the siege by regular approaches. Sir Arthur Aston, the governor, being wounded, Colonel Fielding succeeded to the command. In a little time the town was found to be no longer in a condition of defence; and though the king approached, with an intention of obliging Essex to raise the siege, the disposition of the parliamentary army was so strong as rendered the design impracticable. Fielding, therefore, was contented to yield the town, on condition that he should bring off all the garrison with the honors of war and deliver up deserters. This last article was thought so ignominious and so prejudicial to the king's interests that the governor was tried by a council of war, and condemned to lose his life for consenting to it. His sentence was afterwards remitted by the king.<sup>32</sup>

Essex's army had been fully supplied with all necessities from London; even many superfluities and luxuries were sent them by the care of the zealous citizens; yet the hardships which they suffered from the siege during so early a season

<sup>31</sup> See note [Y] at the end of the volume.

<sup>32</sup> Rushworth, vol. vi. p. 265, etc. Clarendon, vol. iii. pp. 237, 238, etc.



had weakened them to such a degree that they were no longer fit for any new enterprise. And the two armies for some time encamped in the neighborhood of each other without attempting, on either side, any action of moment.

Besides the military operations between the principal armies which lay in the centre of England, each county, each town, each family almost, was divided within itself, and the most violent convulsions shook the whole kingdom. Throughout the winter continual efforts had everywhere been made by each party to surmount its antagonist; and the English, roused from the lethargy of peace, with eager though unskilful hands, employed against their fellow-citizens their long-neglected weapons. The furious zeal for liberty and Presbyterian discipline, which had hitherto run uncontrolled throughout the nation, now at last excited an equal ardor for monarchy and episcopacy, when the intention of abolishing these ancient modes of government was openly avowed by the Parliament. Conventions for neutrality, though in several counties they had been entered into and confirmed by the most solemn oaths, yet being voted illegal by the two Houses, were immediately broken,<sup>33</sup> and the fire of discord was spread into every quarter. The altercation of discourse, the controversies of the pen, but, above all, the declamations of the pulpit, indisposed the minds of men towards each other and propagated the blind rage of party.<sup>34</sup> Fierce, however, and inflamed as were the dispositions of the English by a war both civil and religious, that great destroyer of humanity, all the events of this period are less distinguished by atrocious deeds, either of treachery or cruelty, than were ever any intestine discords which had so long a continuance—a circumstance which will be found to reflect great praise on the national character of that people now so unhappily roused to arms.

In the north, Lord Fairfax commanded for the Parliament, the Earl of Newcastle for the king. The latter nobleman began those associations which were afterwards so much practised in other parts of the kingdom. He united in a league for the king the counties of Northumberland, Cumberland, Westmoreland, and the Bishopric, and engaged some time after other counties in the same association. Finding that Fairfax, assisted by Hotham and the garrison of Hull, was making progress in the southern parts of Yorkshire, he advanced with a body of four thousand men, and

<sup>33</sup> Clarendon, vol. iii. pp. 137, 139.

<sup>34</sup> Dugdale, p. 95.

took possession of York. At Tadcaster he attacked the forces of the Parliament and dislodged them, but his victory was not decisive. In other rencounters he obtained some inconsiderable advantages. But the chief benefit which resulted from his enterprises was the establishing of the king's authority in all the northern provinces.

In another part of the kingdom, Lord Broke was killed by a shot while he was taking possession of Lichfield for the Parliament.<sup>35</sup> After a short combat near Stafford between the Earl of Northampton and Sir John Gell, the former, who commanded the king's forces, was killed while he fought with great valor; and his forces discouraged by his death, though they had obtained the advantage in the action, retreated into the town of Stafford.<sup>36</sup>

Sir William Waller began to distinguish himself among the generals of the Parliament. Active and indefatigable in his operations, rapid and enterprising, he was fitted by his genius to the nature of the war, which, being managed by raw troops, conducted by unexperienced commanders, afforded success to every bold and sudden undertaking. After taking Winchester and Chicester, he advanced towards Gloucester, which was in a manner blockaded by Lord Herbert, who had levied considerable forces in Wales for the royal party.<sup>37</sup> While he attacked the Welsh on one side, a sally from Gloucester made impression on the other. Herbert was defeated; five hundred of his men killed on the spot, a thousand taken prisoners, and he himself escaped with some difficulty to Oxford. Hereford, esteemed a strong town, defended by a considerable garrison, was surrendered to Waller from the cowardice of Colonel Price, the governor. Tewkesbury underwent the same fate. Worcester refused him admittance; and Waller without placing any garrisons in his new conquests, retired to Gloucester, and he thence joined the army under the Earl of Essex.<sup>38</sup>

But the most remarkable actions of valor during this winter season were performed in the west. When Sir Ralph

<sup>35</sup> He had taken possession of Lichfield, and was viewing from a window St. Chad's Cathedral, in which a party of the royalists had fortified themselves. He was cased in complete armor, but was shot through the eye by a random ball. Lord Broke was a zealous Puritan; and had formerly said that he hoped to see with his eyes the ruin of all the cathedrals of England. It was a superstitious remark of the royalists that he was killed on St. Chad's Day by a shot from St. Chad's Cathedral, which pierced that very eye by which he hoped to see the ruin of all cathedrals.—Dugdale, p. 118. Clarendon, etc.

<sup>36</sup> Whitlocke, p. 66. Rushworth, vol. vi. p. 152. Clarendon, vol. iii. p. 151.

<sup>37</sup> Rushworth, vol. vi. pp. 92, 100.

<sup>38</sup> Rushworth, vol. vi. p. 263.

Hopton, with his small troop, retired into Cornwall before the Earl of Bedford, that nobleman, despising so inconsiderable a force, abandoned the pursuit, and committed the care of suppressing the royal party to the sheriffs of the county. But the affections of Cornwall were much inclined to the king's service. While Sir Richard Buller and Sir Alexander Carew lay at Launceston, and employed themselves in executing the Parliament's ordinance for the militia, a meeting of the county was assembled at Truro, and, after Hopton produced his commission from the Earl of Hertford, the king's general, it was agreed to execute the laws, and to expel these invaders of the county. The train-bands were accordingly levied, Launceston taken, and all Cornwall reduced to peace and to obedience under the king.

It had been usual for the royal party, on the commencement of these disorders, to claim on all occasions the strict execution of the laws, which they knew were favorable to them; and the Parliament, rather than have recourse to the plea of necessity and avow the transgression of any statute, had also been accustomed to warp the laws, and, by forced constructions, to interpret them in their own favor.<sup>39</sup> But though the king was naturally the gainer by such a method of conducting war, and it was by favor of law that the train-bands were raised in Cornwall, it appeared that those maxims were now prejudicial to the royal party. These troops could not legally, without their own consent, be carried out of the county, and consequently it was impossible to push into Devonshire the advantage which they had obtained. The Cornish royalists, therefore, bethought themselves of levying a force which might be more serviceable. Sir Bevil Granville, the most beloved man of that country, Sir Ralph Hopton, Sir Nicholas Slanning, Arundel, and Trevannion, undertook at their own charges to raise an army for the king, and their great interest in Cornwall soon enabled them to effect their purpose. The Parliament, alarmed at this appearance of the royalists, gave commission to Ruthven, a Scotchman, governor of Plymouth, to march with all the forces of Dorset, Somerset, and Devon, and make an entire conquest of Cornwall. The Earl of Stamford followed him at some distance with a considerable supply. Ruthven, having entered Cornwall by bridges thrown over the Tamar, hastened to an action, lest Stamford should join him and obtain the honor of that victory which

<sup>39</sup> Clarendon, vol. iii. p. 130.

he looked for with assurance. The royalists, in like manner, were impatient to bring the affair to a decision before Ruthven's army should receive so considerable a reinforcement. The battle was fought on Bradoc Down, and the king's forces, though inferior in number, gave a total defeat to their enemies. Ruthven, with a few broken troops, fled to Saltash; and when that town was taken, he escaped with some difficulty, and almost alone, into Plymouth. Stamford retired, and distributed his forces into Plymouth and Exeter.

Notwithstanding these advantages, the extreme want, both of money and ammunition, under which the Cornish royalists labored, obliged them to enter into a convention of neutrality with the parliamentary party in Devonshire, and this neutrality held all the winter season. In the spring it was broken by the authority of the two Houses, and war recommenced with great appearance of disadvantage to the king's party. Stamford having assembled a strong body of near seven thousand men, well supplied with money, provisions, and ammunition, advanced upon the royalists, who were not half his number, and were oppressed by every kind of necessity. Despair, joined to the natural gallantry of these troops, commanded by the prime gentry of the county, made them resolve by one vigorous effort to overcome all these advantages. Stamford being encamped on the top of a high hill near Stratton, they attacked him in four divisions at five in the morning, having lain all night under arms. One division was commanded by Lord Mohun and Sir Ralph Hopton, another by Sir Bevil Granville and Sir John Berkeley, a third by Slanning and Trevannion, a fourth by Basset and Godolphin. In this manner the action began; the king's forces pressing with vigor those four ways up the hill, and their enemies obstinately defending themselves. The fight continued with doubtful success, till word was brought to the chief officers of the Cornish that their ammunition was spent to less than four barrels of powder. This defect, which they concealed from the soldiers, they resolved to supply by their valor. They agreed to advance without firing till they should reach the top of the hill, and could be on equal ground with the enemy. The courage of the officers was so well seconded by the soldiers that the royalists began on all sides to gain ground. Major-general Childley, who commanded the parliamentary army (for Stamford kept at a distance), failed not in his duty; and when he saw his men recoil, he himself advanced with a



good stand of pikes, and piercing into the thickest of the enemy, was at last overpowered by numbers and taken prisoner. His army, upon this disaster, gave ground apace; insomuch that the four parties of the royalists, growing nearer and nearer as they ascended, at last met together upon the plain at the top, where they embraced with great joy, and signalized their victory with loud shouts and mutual congratulations.<sup>40</sup>

After this success the attention both of king and Parliament was turned towards the west, as to a very important scene of action. The king sent thither the Marquis of Hertford and Prince Maurice with a reinforcement of cavalry, who, having joined the Cornish army, soon overran the county of Devon, and, advancing into that of Somerset, began to reduce it to obedience. On the other hand, the Parliament having supplied Sir William Waller, in whom they much trusted, with a complete army, despatched him westward, in order to check the progress of the royalists. After some skirmishes, the two armies met at Lansdown, near Bath, and fought a pitched battle with great loss on both sides, but without any decisive event.<sup>41</sup> The gallant Granville was there killed, and Hopton, by the blowing-up of some powder, was dangerously hurt. The royalists next attempted to march eastwards and to join their forces to the king's at Oxford, but Waller hung on their rear, and infested their march till they reached the Devizes. Reinforced by additional troops, which flocked to him from all quarters, he so much surpassed the royalists in number that they durst no longer continue their march, or expose themselves to the hazard of an action. It was resolved that Hertford and Prince Maurice should proceed with the cavalry, and having procured a reinforcement from the king, should hasten back to the relief of their friends. Waller was so confident of taking this body of infantry, now abandoned by the horse, that he wrote to the Parliament that their work was done, and that by the next post he would inform them of the number and quality of their prisoners. But the king, even before Hertford's arrival, hearing of the great difficulties to which his western army was reduced, had prepared a considerable body of cavalry, which he immediately despatched to their succor under the command of Lord Wilmot. Waller drew up on Roundway Down, about

<sup>40</sup> Rushworth, vol. vi. pp. 267, 273. Clarendon, vol. iii. pp. 269, 279.

<sup>41</sup> Rushworth, vol. vi. p. 284. Clarendon, vol. iii. p. 282.

two miles from the Devizes, and, advancing with his cavalry to fight Wilmot and prevent his conjunction with the Cornish infantry, was received with equal valor by the royalists. After a sharp action, he was totally routed, and, flying with a few horse, escaped to Bristol. Wilmot, seizing the enemy's cannon, and having joined his friends whom he came to relieve, attacked Waller's infantry with redoubled courage, drove them off the field, and routed and dispersed the whole army.<sup>42</sup>

This important victory, following so quick after many other successes, struck great dismay into the Parliament, and gave an alarm to their principal army, commanded by Essex. Waller exclaimed loudly against that general for allowing Wilmot to pass him, and proceed without any interruption to the succor of the distressed infantry at the Devizes. But Essex, finding that his army fell continually to decay after the siege of Reading, was resolved to remain upon the defensive, and the weakness of the king and his want of all military stores had also restrained the activity of the royal army. No action had happened in that part of England except one skirmish, which of itself was of no great consequence, and was rendered memorable by the death alone of the famous Hambden.

Colonel Urrey, a Scotsman, who served in the parliamentary army, having received some disgust, came to Oxford and offered his services to the king. In order to prove the sincerity of his conversion, he informed Prince Rupert of the loose disposition of the enemy's quarters, and exhorted him to form some attempt upon them. The prince, who was entirely fitted for that kind of service, falling suddenly upon the dispersed bodies of Essex's army, routed two regiments of cavalry and one of infantry, and carried his ravages within two miles of the general's quarters. The alarm being given, every one mounted on horseback in order to pursue the prince, to recover the prisoners, and to repair the disgrace which the army had sustained. Among the rest, Hambden, who had a regiment of infantry that lay at a distance, joined the horse as a volunteer, and, overtaking the royalists on Chalgrave field, entered into the thickest of the battle. By the bravery and activity of Rupert, the king's troops were brought off, and a great booty, together with two hundred prisoners, was conveyed to Oxford. But what most pleased the royalists was the expect-

<sup>42</sup> Rushworth, vol. vi. p. 285. Clarendon, vol. iii. p. 291.

tation that some disaster had happened to Hambden, their capital and much-dreaded enemy. One of the prisoners taken in the action said that he was confident Mr. Hambden was hurt, for he saw him, contrary to his usual custom, ride off the field before the action was finished, his head hanging down, and his hands leaning upon his horse's neck. Next day the news arrived that he was shot in the shoulder with a brace of bullets, and the bone broken. Some days after, he died, in exquisite pain, of his wound; nor could his whole party, had their army met with a total overthrow, have been thrown into greater consternation. The king himself so highly valued him that, either from generosity or policy, he intended to have sent him his own surgeon to assist at his cure.<sup>43</sup>

Many were the virtues and talents of this eminent personage; and his valor during the war had shone out with a lustre equal to that of the other accomplishments by which he had ever been distinguished. Affability in conversation; temper, art, and eloquence in debate; penetration and discernment in counsel; industry, vigilance, and enterprise in action—all these praises are unanimously ascribed to him by historians of the most opposite parties. His virtues, too, and integrity, in all the duties of private life, are allowed to have been beyond exception: we must only be cautious, notwithstanding his generous zeal for liberty, not hastily to ascribe to him the praises of a good citizen. Through all the horrors of civil war, he sought the abolition of monarchy and subversion of the constitution—an end which, had it been attainable by peaceful measures, ought carefully to have been avoided by every lover of his country. But whether, in the pursuit of this violent enterprise, he was actuated by private ambition, or by honest prejudices derived from the former exorbitant powers of royalty, it belongs not to an historian of this age, scarcely even to an intimate friend, positively to determine.<sup>44</sup>

Essex, discouraged by this event, dismayed by the total rout of Waller, was further informed that the queen, who landed in Burlington Bay, had arrived at Oxford, and had brought from the north a reinforcement of three thousand foot and fifteen hundred horse. Dislodging from Thame and Aylesbury, where he had hitherto lain, he thought proper to retreat nearer to London; and he showed to his

<sup>43</sup> Warwick's Memoirs, p. 241. Clarendon, vol. i. p. 264.

<sup>44</sup> See note [Z] at the end of the volume.

friends his broken and disheartened forces, which a few months before he had led into the field in so flourishing a condition. The king, freed from this enemy, sent his army westward under Prince Rupert, and, by their conjunction with the Cornish troops, a formidable force, for numbers as well as reputation and valor, was composed. That an enterprise correspondent to men's expectations might be undertaken, the prince resolved to lay siege to Bristol, the second town for riches and greatness in the kingdom. Nathaniel Fiennes, son of Lord Say, he himself, as well as his father, a great parliamentary leader, was governor, and commanded a garrison of two thousand five hundred foot, and two regiments—one of horse, another of dragoons. The fortifications not being complete or regular, it was resolved by Prince Rupert to storm the city; and next morning, with little other provisions suitable to such a work besides the courage of the troops, the assault began. The Cornish, in three divisions, attacked the west side, with a resolution which nothing could control; but though the middle division had already mounted the wall, so great was the disadvantage of the ground, and so brave the defence of the garrison, that in the end the assailants were repulsed with a considerable loss both of officers and soldiers. On the prince's side the assault was conducted with equal courage, and almost with equal loss, but with better success. One party, led by Lord Grandison, was indeed beaten off, and the commander himself mortally wounded. Another, conducted by Colonel Bellasis, met with a like fate; but Washington, with a less party, finding a place in the curtain weaker than the rest broke in, and quickly made room for the horse to follow. By this irruption, however, nothing but the suburbs was yet gained. The entrance into the town was still more difficult; and by the loss already sustained, as well as by the prospect of further danger, every one was extremely discouraged; when, to the great joy of the army, the city beat a parley. The garrison was allowed to march out with their arms and baggage, leaving their cannon, ammunition, and colors. For this instance of cowardice, Fiennes was afterwards tried by a court-martial and condemned to lose his head; but the sentence was remitted by the general.<sup>45</sup>

Great complaints were made of violences exercised on the garrison contrary to the capitulation. An apology was

<sup>45</sup> Rushworth, vol. vi. p. 284. Clarendon, vol. iii. pp. 293, 294, etc.



made by the royalists, as if these were a retaliation for some violence committed on their friends at the surrender of Reading. And under pretence of like retaliations, but really from the extreme animosity of the parties, were such irregularities continued during the whole course of the war.<sup>46</sup>

The loss sustained by the royalists in the assault of Bristol was considerable. Five hundred excellent soldiers perished. Among those of condition were Grandison, Slanning, Trevannion, and Moyle; Bellasis, Ashley, and Sir John Owen were wounded. Yet was the success, upon the whole, so considerable as mightily raised the courage of the one party and depressed that of the other. The king, to show that he was not intoxicated with good fortune, nor aspired to a total victory over the Parliament, published a manifesto, in which he renewed the protestation formerly taken, with great solemnity, at the head of his army, and expressed his firm intention of making peace upon the re-establishment of the constitution. Having joined the camp at Bristol and sent Prince Maurice with a detachment into Devonshire, he deliberated how to employ the remaining forces in an enterprise of moment. Some proposed, and seemingly with reason, to march directly to London, where everything was in confusion, where the army of the Parliament was baffled, weakened, and dismayed, and where, it was hoped, either by an insurrection of the citizens, by victory, or by treaty, a speedy end might be put to the civil disorders. But this undertaking, by reason of the great number and force of the London militia, was thought by many to be attended with considerable difficulties. Gloucester, lying within twenty miles, presented an easier yet a very important conquest. It was the only remaining garrison possessed by the Parliament in those parts. Could that city be reduced, the king held the whole course of the Severn under his command; the rich and malcontent counties of the west, having lost all protection from their friends, might be forced to pay high contributions as an atonement for their disaffection; an open communication could be preserved between Wales and these new conquests; and half of the kingdom, being entirely freed from the enemy, and thus united into one firm body, might be employed in re-establishing the king's authority throughout the remainder. These were the reasons for embracing

<sup>46</sup> Clarendon, *ubi supra*, p. 297.

that resolution, fatal as it was ever esteemed to the royal party.<sup>47</sup>

The Governor of Gloucester was one Massey, a soldier of fortune, who, before he engaged with the Parliament, had offered his service to the king; and as he was free from the fumes of enthusiasm by which most of the officers on that side were intoxicated, he would lend an ear, it was presumed, to proposals for accommodation; but Massey was resolute to preserve an entire fidelity to his masters, and, though no enthusiast himself, he well knew how to employ to advantage that enthusiastic spirit so prevalent in his city and garrison. The summons to surrender allowed two hours for an answer; but before that time expired there appeared before the king two citizens with lean, pale, sharp, and dismal visages: faces so strange and uncouth, according to Lord Clarendon; figures so habited and accoutred, as at once moved the most severe countenance to mirth and the most cheerful heart to sadness. It seemed impossible that such messengers could bring less than a defiance. The men, without any circumstance of duty or good manners, in a pert, shrill, undismayed accent, said that they brought an answer from the godly city of Gloucester; and extremely ready were they, according to the historian, to give insolent and seditious replies to any question, as if their business were chiefly, by provoking the king, to make him violate his own safe-conduct. The answer from the city was in these words: "We, the inhabitants, magistrates, officers, and soldiers within the garrison of Gloucester, unto his majesty's gracious message return this humble answer: That we do keep this city, according to our oaths and allegiance, to and for the use of his majesty and his royal posterity; and do accordingly conceive ourselves wholly bound to obey the commands of his majesty, signified by both Houses of Parliament; and are resolved, by God's help, to keep this city accordingly."<sup>48</sup> After these preliminaries the siege was resolutely undertaken by the army, and as resolutely sustained by the citizens and garrison.

When intelligence of the siege of Gloucester arrived in London, the consternation among the inhabitants was as great as if the enemy were already at their gates. The rapid progress of the royalists threatened the Parliament with immediate subjection; the factions and discontents

<sup>47</sup> Whitlocke, p. 69. May, bk. iii. p. 91.

<sup>48</sup> Rushworth, vol. vi. p. 287. Clarendon, vol. iii. p. 315. May, bk. iii. p. 90.

among themselves in the city, and throughout the neighboring counties, prognosticated some dangerous division or insurrection. Those parliamentary leaders, it must be owned, who had introduced such mighty innovations into the English constitution, and who had projected so much greater, had not engaged in an enterprise which exceeded their courage or capacity. Great vigor from the beginning, as well as wisdom, they had displayed in all their counsels; and a furious, headstrong body, broken loose from the restraint of law, had hitherto been retained in subjection under their authority, and firmly united by zeal and passion as by the most legal and established government. A small committee on whom the two Houses devolved their power had directed all their military operations, and had preserved a secrecy in deliberation and a promptitude in execution beyond what the king, notwithstanding the advantages possessed by a single leader, had ever been able to attain. Sensible that no jealousy was by their partisans entertained against them, they had on all occasions exerted an authority much more despotic than the royalists, even during the pressing exigencies of war, could with patience endure in their sovereign. Whoever incurred their displeasure or was exposed to their suspicions was committed to prison and prosecuted under the notion of delinquency. After all the old jails were full, many new ones were erected; and even the ships were crowded with the royalists, both gentry and clergy, who languished below decks, and perished in those unhealthy confinements. They imposed taxes, the heaviest and of the most unusual nature, by an ordinance of the two Houses; they voted a commission for sequestrations; and they seized, wherever they had power, the revenues of all the king's party;<sup>49</sup> and, knowing that themselves and all their adherents were, by resisting the prince, exposed to the penalties of law, they resolved, by a severe administration, to overcome these terrors, and to retain the people in obedience by penalties of a more immediate execution. In the beginning of this summer, a combination formed against them in London had obliged them to exert the plenitude of their authority.

Edmund Waller, the first refiner of English versification, was a member of the lower House, a man of consider-

<sup>49</sup> The king afterwards copied from this example; but as the far greater part of the nobility and landed gentry were his friends, he reaped much less profit from his measure.

able fortune, and not more distinguished by his poetical genius than by his parliamentary talents, and by the politeness and elegance of his manners. As full of keen satire and invective in his eloquence as of tenderness and panegyric in his poetry, he caught the attention of his hearers, and exerted the utmost boldness in blaming those violent counsels by which the Commons were governed. Finding all opposition within doors to be fruitless, he endeavored to form a party without which might oblige the Parliament to accept of reasonable conditions and restore peace to the nation. The charms of his conversation, joined to his character of courage and integrity, had procured him the entire confidence of Northumberland, Conway, and every eminent person of either sex who resided in London. They opened their breasts to him without reserve, and expressed their disapprobation of the furious measures pursued by the Commons, and their wishes that some expedient could be found for stopping so impetuous a career. Tomkins, Waller's brother-in-law, and Chaloner, the intimate friend of Tomkins, had entertained like sentiments; and as the connections of these two gentlemen lay chiefly in the city, they informed Waller that the same abhorrence of war prevailed there among all men of reason and moderation. Upon reflection, it seemed not impracticable that a combination might be formed between the lords and citizens, and by mutual concert the illegal taxes be refused, which the Parliament, without the royal assent, imposed on the people. While this affair was in agitation, and lists were making of such as they conceived to be well affected to their design, a servant of Tomkins, who had overheard their discourse, immediately carried intelligence to Pym. Waller, Tomkins, and Chaloner were seized and tried by a court-martial.<sup>50</sup> They were all three condemned, and the two latter executed on gibbets erected before their own doors. A covenant, as a test, was taken<sup>51</sup> by the Lords and Commons and imposed on their army, and on all who lived within their quarters. Besides resolving to amend and reform their lives, the covenanters there vow that they will never lay down their arms so long as the Papists, now in open war against the Parliament, shall, by force of arms, be protected from justice; they express their abhorrence of the late conspiracy; and they promise to assist to the utmost the forces raised by both Houses against the forces levied by the king.<sup>52</sup>

<sup>50</sup> Rushworth, vol. vi. p. 32<sup>r</sup>. Clarendon, vol. iii. pp. 249, 250, etc.

<sup>51</sup> June 6.

<sup>52</sup> Rushworth, vol. vi. p. 325. Clarendon, vol. ii. p. 255.



Waller, as soon as imprisoned, sensible of the great danger into which he had fallen, was so seized with the dread of death that all his former spirit deserted him, and he confessed whatever he knew, without sparing his most intimate friends, without regard to the confidence reposed in him, without distinguishing between the negligence of familiar conversation and the schemes of a regular conspiracy. With the most profound dissimulation, he counterfeited such remorse of conscience that his execution was put off, out of mere Christian compassion, till he might recover the use of his understanding. He invited visits from the ruling clergy of all sects; and while he expressed his own penitence, he received their devout exhortations with humility and reverence, as conveying clearer conviction and information than in his life he had ever before attained. Presents too, of which, as well as of flattery, these holy men were not insensible, were distributed among them as a small retribution for their prayers and ghostly counsel. And by all these artifices, more than from any regard to the beauty of his genius—of which, during that time of furious cant and faction, small account would be made—he prevailed so far as to have his life spared, and a fine of ten thousand pounds accepted in lieu of it.<sup>53</sup>

The severity exercised against the conspiracy, or rather project, of Waller increased the authority of Parliament, and seemed to insure them against like attempts for the future. But by the progress of the king's arms, the defeat of Sir William Waller, the taking of Bristol, the siege of Gloucester, a cry for peace was renewed, and with more violence than ever. Crowds of women, with a petition for that purpose, flocked about the House, and were so clamorous and importunate that orders were given for dispersing them; and some of the females were killed in the fray.<sup>54</sup> Bedford, Holland, and Conway had deserted the Parliament and had gone to Oxford; Clare and Lovelace had followed them.<sup>55</sup> Northumberland had retired to his country-seat; Essex himself showed extreme dissatisfaction, and exhorted the Parliament to make peace.<sup>56</sup> The upper House sent down terms of accommodation more moderate than had hitherto been insisted on. It even passed, by a majority among the Commons, that these proposals should be trans-

<sup>53</sup> Whitlocke, p. 66. Rushworth, vol. vi. p. 330. Clarendon, vol. iii. pp. 253, 254, etc.

<sup>54</sup> Rushworth, vol. vi. p. 357. <sup>55</sup> Whitlocke, p. 67. <sup>56</sup> Rushworth, vol. vi. p. 290.

mitted to the king. The zealots took the alarm. A petition against peace was framed in the city, and presented by Pennington, the factious mayor. Multitudes attended him, and renewed all the former menaces against the moderate party.<sup>57</sup> The pulpits thundered, and rumors were spread of twenty thousand Irish who had landed, and were to cut the throat of every Protestant.<sup>58</sup> The majority was again turned to the other side; and, all thoughts of pacification being dropped, every preparation was made for resistance, and for the immediate relief of Gloucester, on which the Parliament was sensible all their hopes of success in the war did so much depend.

Massey, resolute to make a vigorous defence, and having under his command a city and garrison ambitious of the crown of martyrdom, had hitherto maintained the siege with courage and abilities, and had much retarded the advances of the king's army. By continual sallies he infested them in their trenches, and gained sudden advantages over them; by disputing every inch of ground, he repressed the vigor and alacrity of their courage, elated by former successes. His garrison, however, was reduced to the last extremity, and he failed not, from time to time, to inform the Parliament that, unless speedily relieved, he should be necessitated, from the extreme want of provisions and ammunition, to open his gates to the enemy.

The Parliament, in order to repair their broken condition and put themselves in a posture of defence, now exerted to the utmost their power and authority. They voted that an army should be levied under Sir William Waller, whom, notwithstanding his misfortunes, they loaded with extraordinary caresses. Having associated in their cause the counties of Hertford, Essex, Cambridge, Norfolk, Suffolk, Lincoln, and Huntingdon, they gave the Earl of Manchester a commission to be general of the association, and appointed an army to be levied under his command. But, above all, they were intent that Essex's army, on which their whole fortune depended, should be put in a condition of marching against the king. They excited afresh their preachers to furious declamations against the royal cause. They even employed the expedient of pressing, though abolished by a late law, for which they had strenuously contended,<sup>59</sup> and they engaged the city to send four regi-

<sup>57</sup> Rushworth, vol. vi. p. 356.

<sup>58</sup> Clarendon, vol. iii. p. 320. Rushworth, vol. vi. p. 588.

<sup>59</sup> Rushworth, vol. vi. p. 292.

ments of its militia to the relief of Gloucester. All shops, meanwhile, were ordered to be shut; and every man expected, with the utmost anxiety, the event of that important enterprise.<sup>60</sup>

Essex, carrying with him a well-appointed army of fourteen thousand men, took the road of Bedford and Leicester; and though inferior in cavalry, yet by the mere force of conduct and discipline he passed over those open champaign countries, and defended himself from the enemy's horse, who had advanced to meet him, and who infested him during his whole march. As he approached to Gloucester, the king was obliged to raise the siege, and open the way for Essex to enter that city. The necessities of the garrison were extreme. One barrel of powder was their whole stock of ammunition remaining, and their other provisions were in the same proportion. Essex had brought with him military stores, and the neighboring country abundantly supplied him with victuals of every kind. The inhabitants had carefully concealed all provisions from the king's army, and, pretending to be quite exhausted, had reserved their stores for that cause which they so much favored.<sup>61</sup>

The chief difficulty still remained. Essex dreaded a battle with the king's army, on account of its great superiority in cavalry; and he resolved to return, if possible, without running that hazard. He lay five days at Tewkesbury, which was his first stage after leaving Gloucester, and he feigned, by some preparations, to point towards Worcester. By a forced march during the night, he reached Cirencester, and obtained the double advantage of passing unmolested an open country and of surprising a convoy of provisions which lay in that town.<sup>62</sup> Without delay he proceeded towards London; but when he reached Newbury, he was surprised to find that the king, by hasty marches, had arrived before him and was already possessed of the place.

An action was now unavoidable; and Essex prepared for it with presence of mind, and not without military conduct. On both sides the battle was fought with desperate valor and a steady bravery. Essex's horse were several times broken by the king's, but his infantry maintained themselves in firm array, and, besides giving a continued fire, they presented an invincible rampart of pikes against

<sup>60</sup> Rushworth, vol. vi. p. 292.

<sup>62</sup> Rushworth, vol. vi. p. 292.

<sup>61</sup> Clarendon, vol. iii. p. 344

the furious shock of Prince Rupert and those gallant troops of gentry of which the royal cavalry was chiefly composed. The militia of London especially, though utterly unacquainted with action, though drawn but a few days before from their ordinary occupations, yet, having learned all military exercises, and being animated with unconquerable zeal for the cause in which they were engaged, equalled, on this occasion, what could be expected from the most veteran forces. While the armies were engaged with the utmost ardor, night put an end to the action, and left the victory undecided. Next morning Essex proceeded on his march, and, though his rear was once put in some disorder by an incursion of the king's horse, he reached London in safety, and received applause for his conduct and success in the whole enterprise. The king followed him on his march, and, having taken possession of Reading after the earl left it, he there established a garrison, and straitened by that means London and the quarters of the enemy.<sup>63</sup>

In the battle of Newbury, on the part of the king, besides the Earls of Sunderland and Carnarvon, two noblemen of promising hopes, was unfortunately slain, to the regret of every lover of ingenuity and virtue throughout the kingdom, Lucius Cary, Viscount Falkland, secretary of state. Before assembling the present Parliament, this man, devoted to the pursuits of learning and to the society of all the polite and elegant, had enjoyed himself in every pleasure which a fine genius, a generous disposition, and an opulent fortune could afford. Called into public life, he stood foremost in all attacks on the high prerogatives of the crown, and displayed that masculine eloquence and undaunted love of liberty which, from his intimate acquaintance with the sublime spirits of antiquity, he had greedily imbibed. When civil convulsions proceeded to extremities, and it became requisite for him to choose his side, he tempered the ardor of his zeal, and embraced the defence of those limited powers which remained to monarchy, and which he deemed necessary for the support of the English constitution. Still anxious, however, for his country, he seems to have dreaded the too prosperous success of his own party as much as of the enemy; and among his intimate friends, often, after a deep silence and frequent sighs, he would, with a sad accent, reiterate the word "Peace." In excuse for the too free exposing of his person, which seemed unsuitable in a secretary

<sup>63</sup> Rushworth, vol. vi. p. 293. Clarendon, vol. iii p. 347.



of state, he alleged that it became him to be more active than other men in all hazardous enterprises, lest his impatience for peace might bear the imputation of cowardice or pusillanimity. From the commencement of the war, his natural cheerfulness and vivacity became clouded, and even his usual attention to dress, required by his birth and station, gave way to a negligence which was easily observable. On the morning of the battle in which he fell, he had shown some care of adorning his person, and gave for a reason that the enemy should not find his body in any slovenly, indecent situation. "I am weary," subjoined he, "of the times, and foresee much misery to my country; but believe that I shall be out of it ere night."<sup>64</sup> This excellent person was but thirty-four years of age when a period was thus put to his life.

The loss sustained on both sides in the battle of Newbury, and the advanced season, obliged the armies to retire into winter-quarters.

In the north, during the summer, the great interest and popularity of the Earl, now created Marquis, of Newcastle, had raised a considerable force for the king, and great hopes of success were entertained from that quarter. There appeared, however, in opposition to him two men, on whom the event of the war finally depended, and who began about this time to be remarked for their valor and military conduct. These were Sir Thomas Fairfax, son of the lord of that name, and Oliver Cromwell. The former gained a considerable advantage at Wakefield<sup>65</sup> over a detachment of royalists, and took General Goring prisoner; the latter obtained a victory at Gainsborough<sup>66</sup> over a party commanded by the gallant Cavendish, who perished in the action. But both these defeats of the royalists were more than sufficiently compensated by the total rout of Lord Fairfax at Atherton Moor,<sup>67</sup> and the dispersion of his army. After this victory, Newcastle, with an army of fifteen thousand men, sat down before Hull. Hotham was no longer governor of this place. That gentleman and his son, partly from a jealousy entertained of Lord Fairfax, partly repenting of their engagements against the king, had entered into a correspondence with Newcastle, and had expressed an intention of delivering Hull into his hands. But their conspiracy being detected, they were arrested and sent

<sup>64</sup> Whitlocke, p. 70. Clarendon, vol. iii. pp. 350, 351, etc.

<sup>65</sup> May 21.

<sup>66</sup> July 31.

<sup>67</sup> June 30.

prisoners to London, where, without any regard to their former services, they fell, both of them, victims to the severity of the Parliament.<sup>68</sup>

Newcastle, having carried on the attack of Hull for some time, was beaten off by a sally of the garrison,<sup>69</sup> and suffered so much that he thought proper to raise the siege. About the same time, Manchester, who advanced from the eastern associated counties, having joined Cromwell and young Fairfax, obtained a considerable victory over the royalists at Horncastle, where the two officers last mentioned gained renown by their conduct and gallantry. And though fortune had thus balanced her favors, the king's party still remained much superior in those parts of England; and had it not been for the garrison at Hull, which kept Yorkshire in awe, a conjunction of the northern forces with the army in the south might have been made, and had probably enabled the king, instead of entering on the unfortunate, perhaps imprudent, enterprise of Gloucester, to march directly to London and put an end to the war.<sup>70</sup>

While the military enterprises were carried on with vigor in England, and the event became every day more doubtful, both parties cast their eye towards the neighboring kingdoms, and sought assistance for the finishing of that enterprise in which their own forces experienced such furious opposition. The Parliament had recourse to Scotland; the king, to Ireland.

When the Scottish Covenanters obtained that end for which they so earnestly contended—the establishment of Presbyterian discipline in their own country—they were not satisfied, but indulged still an ardent passion for propagating by all methods that mode of religion in the neighboring kingdoms. Having flattered themselves, in the fervor of their zeal, that, by supernatural assistances, they should be enabled to carry their triumphant covenant to the gates of Rome itself, it behooved them first to render it prevalent in England, which already showed so great a disposition to receive it. Even in the articles of pacification, they expressed a desire of uniformity in worship with England; and the king, employing general expressions, had approved of this inclination as pious and laudable. No sooner was there an appearance of a rupture than the English Parliament, in order to allure that nation into a close confederacy,

<sup>68</sup> Rushworth, vol. vi. p. 275.

<sup>70</sup> Warwick, p. 261. Walker, p. 278.

<sup>69</sup> October 12.

openly declared their wishes of ecclesiastical reformation, and of imitating the example of their northern brethren.<sup>71</sup> When war was actually commenced, the same artifices were used ; and the Scots beheld, with the utmost impatience, a scene of action of which they could not deem themselves indifferent spectators. Should the king, they said, be able by force of arms to prevail over the Parliament of England, and re-establish his authority in that powerful kingdom, he will undoubtedly retract all those concessions which, with so many circumstances of violence and indignity, the Scots have extorted from him. Besides a sense of his own interest, and a regard to royal power, which has been entirely annihilated in this country, his very passion for prelacy and for religious ceremonies must lead him to invade a Church which he has ever been taught to regard as anti-christian and unlawful. Let us but consider who the persons are that compose the factions now so furiously engaged in arms. Does not the Parliament consist of those very men who have ever opposed all war with Scotland, who have punished the authors of our oppressions, who have obtained us the redress of every grievance, and who, with many honorable expressions, have conferred on us an ample reward for our brotherly assistance? And is not the court full of Papists, prelates, malignants—all of them zealous enemies to our religious model, and resolute to sacrifice their lives for their idolatrous establishments? Not to mention our own necessary security, can we better express our gratitude to Heaven for that pure light with which we are, above all nations, so eminently distinguished than by conveying the same divine knowledge to our unhappy neighbors, who are wading through a sea of blood in order to attain it? These were, in Scotland, the topics of every conversation. With these doctrines the pulpits echoed; and the famous curse of Meroz, that curse so solemnly denounced and reiterated against neutrality and moderation, resounded from all quarters.<sup>72</sup>

The Parliament of England had ever invited the Scots, from the commencement of the civil dissensions, to interpose their mediation, which, they knew, would be so little favorable to the king ; and the king, for that very reason, had ever endeavored, with the least offensive expressions, to

<sup>71</sup> Rushworth, vol. vi. p. 390. Clarendon, vol. iii. p. 68.

<sup>72</sup> "Curse ye Meroz, said the angel of the Lord, curse ye bitterly the inhabitants thereof ; because they came not to the help of the Lord, to the help of the Lord against the mighty."—Judges v. 23.

decline it.<sup>73</sup> Early this spring, the Earl of Loudon, the chancellor, with other commissioners, and attended by Henderson, a popular and intriguing preacher, was sent to the king at Oxford, and renewed the offer of mediation; but with the same success as before. The commissioners were also empowered to press the king on the article of religion, and to recommend to him the Scottish model of ecclesiastical worship and discipline. This was touching Charles in a very tender point; his honor, his conscience, as well as his interest, he believed to be intimately concerned in supporting prelacy and the liturgy.<sup>74</sup> He begged the commissioners, therefore, to remain satisfied with the concessions which he had made to Scotland; and having modelled their own Church according to their own principles, to leave their neighbors in the like liberty, and not to intermeddle with affairs of which they could not be supposed competent judges.<sup>75</sup>

The divines of Oxford, secure, as they imagined, of a victory, by means of their authorities from Church history, their quotations from the fathers, and their spiritual arguments, desired a conference with Henderson, and undertook, by dint of reasoning, to convert that great apostle of the north; but Henderson, who had ever regarded as impious the least doubt with regard to his own principles, and who knew of a much better way to reduce opponents than by employing any theological topics, absolutely refused all disputation or controversy. The English divines went away full of admiration at the blind assurance and bigoted prejudices of the man; he, on his part, was moved with equal wonder at their obstinate attachment to such palpable errors and delusions.

By the concessions which the king had granted to Scotland, it became necessary for him to summon a Parliament once in three years; and in June of the subsequent year was fixed the period for the meeting of that assembly. Before that time elapsed, Charles flattered himself that he should be able, by some decisive advantage, to reduce the English Parliament to a reasonable submission, and might then expect, with security, the meeting of a Scottish Parliament. Though earnestly solicited by Loudon to summon presently that great council of the nation, he absolutely refused to give authority to men who had already excited such

<sup>73</sup> Rushworth, vol. vi. p. 398.

<sup>74</sup> See note [AA] at the end of the volume.

<sup>75</sup> Rushworth, vol. vi. p. 462.



dangerous commotions, and who showed still the same disposition to resist and invade his authority. The commissioners, therefore, not being able to prevail in any of their demands, desired the king's passport for London, where they purposed to confer with the English Parliament;<sup>76</sup> and being likewise denied this request, they returned with extreme dissatisfaction to Edinburgh.

The office of conservators of the peace was newly erected in Scotland, in order to maintain the confederacy between the two kingdoms; and these, instigated by the clergy, were resolved, since they could not obtain the king's consent, to summon, in his name, but by their own authority, a convention of states, and to bereave their sovereign of this article, the only one which remained of his prerogative. Under color of providing for national peace, endangered by the neighborhood of English armies, was a convention called<sup>77</sup>—an assembly which, though it meets with less solemnity, has the same authority as a parliament in raising money and levying forces. Hamilton, and his brother the Earl of Lan-eric, who had been sent into Scotland in order to oppose these measures, wanted either authority or sincerity, and passively yielded to the torrent. The general assembly of the Church met at the same time with the convention, and, exercising an authority almost absolute over the whole civil power, made every political consideration yield to their theological zeal and prejudices.

The English Parliament was at that time fallen into great distress by the progress of the royal arms; and they gladly sent to Edinburgh commissioners, with ample powers, to treat of a nearer union and confederacy with the Scottish nation. The persons employed were the Earl of Rutland, Sir William Armyne, Sir Henry Vane the younger, Thomas Hatcher, and Henry Darley, attended by Marshal and Nye, two clergymen of signal authority.<sup>78</sup> In this negotiation the man chiefly trusted was Vane, who, in eloquence, address, capacity, as well as in art and dissimulation, was not surpassed by any one, even during that age so famous for active talent. By his persuasion was framed at Edinburgh that SOLEMN LEAGUE AND COVENANT which effaced all former protestations and vows taken in both kingdoms, and long maintained its credit and authority. In this covenant the subscribers, besides engaging mutually to defend each other against all

<sup>76</sup> Rushworth, vol. vi. p. 406.

<sup>77</sup> 22d of June.

<sup>78</sup> Whitlocke, p. 73. Rushworth, vol. vi. p. 466. Clarendon, vol. iii. p. 300.

opponents, bound themselves to endeavor, without respect of persons, the extirpation of popery and prelacy, superstition, heresy, schism, and profaneness; to maintain the rights and privileges of parliaments, together with the king's authority; and to discover and bring to justice all incendiaries and malignants.<sup>79</sup>

The subscribers of the covenant vowed also to preserve the reformed religion established in the Church of Scotland; but, by the artifice of Vane, no declaration more explicit was made with regard to England and Ireland than that these kingdoms should be reformed, according to the Word of God and the example of the purest churches. The Scottish zealots, when prelacy was abjured, deemed this expression quite free from ambiguity, and regarded their own model as the only one which corresponded, in any degree, to such a description; but that able politician had other views, and while he employed his great talents in overreaching the Presbyterians and secretly laughed at their simplicity, he had blindly devoted himself to the maintenance of systems still more absurd and more dangerous.

In the English Parliament there remained some members, who, though they had been induced, either by private ambition or by zeal for civil liberty, to concur with the majority, still retained an attachment to the hierarchy and to the ancient modes of worship. But, in the present danger which threatened their cause, all scruples were laid aside; and the covenant, by whose means alone they could expect to obtain so considerable a reinforcement as the accession of the Scottish nation, was received without opposition. The Parliament, therefore, having first subscribed it themselves, ordered it to be received by all who lived under their authority.

Great were the rejoicings among the Scots that they should be the happy instruments of extending their mode of religion and dissipating that profound darkness in which the neighboring nations were involved. The general assembly applauded this glorious imitation of the piety displayed by their ancestors, who, they said, in three different applications during the reign of Elizabeth, had endeavored to engage the English by persuasion to lay aside the use of the surplice, tippet, and corner-cap.<sup>80</sup> The convention, too, in the height of their zeal, ordered every one to swear to this

<sup>79</sup> Rushworth, vol. vi. p. 478. Clarendon, vol. iii. p. 373.

<sup>80</sup> Rushworth, vol. vi. p. 388.

covenant under the penalty of confiscation, besides what further punishment it should please the ensuing Parliament to inflict on the refusers as enemies to God, to the king, and to the kingdom. And being determined that the sword should carry conviction to all refractory minds, they prepared themselves with great vigilance and activity for their military enterprises. By means of a hundred thousand pounds which they received from England; by the hopes of good pay and warm quarters, not to mention men's favorable disposition towards the cause, they soon completed their levies. And, having added to their other forces the troops which they had recalled from Ireland, they were ready about the end of the year to enter England under the command of their old general, the Earl of Leven, with an army of above twenty thousand men.<sup>81</sup>

The king, foreseeing this tempest which was gathering upon him, endeavored to secure himself by every expedient; and he cast his eye towards Ireland in hopes that this kingdom, from which his cause had already received so much prejudice, might at length contribute somewhat towards his protection and security.

After the commencement of the Irish insurrection, the English Parliament, though they undertook the suppression of it, had ever been too much engaged, either in military projects or expeditions at home, to take any effectual step towards finishing that enterprise. They had entered, indeed, into a contract with the Scots for sending over an army of ten thousand men into Ireland; and, in order to engage that nation in this undertaking, besides giving a promise of pay, they agreed to put Carrickfergus into their hands and to invest their general with an authority quite independent of the English government. These troops, so long as they were allowed to remain, were useful by diverting the force of the Irish rebels and protecting in the north the small remnants of the British planters. But, except this contract with the Scottish nation, all the other measures of the Parliament either were hitherto absolutely insignificant, or tended rather to the prejudice of the Protestant cause in Ireland. By continuing their violent persecution, and still more violent menaces, against priests and Papists, they confirmed the Irish Catholics in their rebellion, and cut off all hope of indulgence and toleration. By disposing beforehand of all the Irish forfeitures to subscribers or adventurers, they rendered

<sup>81</sup> Clarendon, vol. iii. p. 383.

all men of property desperate, and seemed to threaten a total extirpation of the natives.<sup>82</sup> And while they thus infused zeal and animosity into the enemy, no measure was pursued which could tend to support and encourage the Protestants, now reduced to the last extremities.

So great is the ascendant which, from a long course of successes, the English has acquired over the Irish nation, that, though the latter, when they receive military discipline among foreigners, are not surpassed by any troops, they had never in their own country been able to make any vigorous effort for the defence or recovery of their liberties. In many rencounters, the English under Lord More, Sir William St. Leger, Sir Frederick Hamilton, and others, had, though under great disadvantages of situation and numbers, put the Irish to rout, and returned in triumph to Dublin. The rebels raised the siege of Tredah, after an obstinate defence made by the garrison.<sup>83</sup> Ormond had obtained two complete victories at Kilrush and Boss, and had brought relief to all the forts which were besieged or blockaded in different parts of the kingdom.<sup>84</sup> But notwithstanding these successes, even the most common necessities of life were wanting to the victorious armies. The Irish, in their wild rage against the British planters, had laid waste the whole kingdom, and were themselves totally unfit, from their habitual sloth and ignorance, to raise any convenience of human life. During the course of six months no supplies had come from England, except the fourth part of one small vessel's lading. Dublin, to save itself from starving, had been obliged to send the greater part of its inhabitants to England. The army had little ammunition, scarcely exceeding forty barrels of gunpowder—not even shoes or clothes—and for want of food the soldiers had been obliged to eat their own horses. And, though the distress of the Irish was not much inferior,<sup>85</sup> besides that they were more hardened against such extremities, it was but a melancholy reflection that the two nations, while they continued their furious animosities, should make desolate that fertile island which might serve to the subsistence and happiness of both.

The justices and council of Ireland had been engaged

<sup>82</sup> A thousand acres in Ulster were given to every one that subscribed two hundred pounds; in Connaught, to the subscribers of three hundred and fifty; in Munster, for four hundred and fifty; in Leinster, for six hundred.

<sup>83</sup> Rushworth, vol. vi. p. 506.

<sup>84</sup> Rushworth, vol. vi. p. 512.

<sup>85</sup> Rushworth, vol. vi. p. 555.



chiefly by the interest and authority of Ormond to fall into an entire dependence on the king. Parsons, Temple, Loftus, and Meredith, who favored the opposite party, had been removed, and Charles had supplied their place by others better affected to his service. A committee of the English House of Commons, which had been sent over to Ireland in order to conduct the affairs of that kingdom, had been excluded the council in obedience to orders transmitted from the king.<sup>86</sup> And these were reasons sufficient, besides the great difficulties under which they themselves labored, why the Parliament was unwilling to send supplies to any army which, though engaged in a cause much favored by them, was commanded by their declared enemies. They even intercepted some small succors sent thither by the king.

The king, as he had neither money, arms, ammunition, nor provisions to spare from his own urgent wants, resolved to embrace an expedient which might at once relieve the necessities of the Irish Protestants, and contribute to the advancement of his affairs in England. A truce with the rebels, he thought, would enable his subjects in Ireland to provide for their own support, and would procure him the assistance of the army against the English Parliament. But, as a treaty with a people so odious for their barbarities, and still more for their religion, might be represented in invidious colors and renew all those calumnies with which he had been loaded, it was necessary to proceed with great caution in conducting that measure. A remonstrance from the army was made to the Irish council, representing their intolerable necessities and craving permission to leave the kingdom; and if that were refused, "We must have recourse," they said, "to that first and primary law with which God has endowed all men; we mean the law of nature, which teaches every creature to preserve itself."<sup>87</sup> Memorials both to the king and Parliament were transmitted by the justices and council, in which their wants and dangers are strongly set forth;<sup>88</sup> and, though the general expressions in these memorials might perhaps be suspected of exaggeration, yet, from the particular facts mentioned, from the confession of the English Parliament itself,<sup>89</sup> and from the very nature of things, it is apparent that the Irish

<sup>86</sup> Rushworth, vol. vi. p. 530. Clarendon, vol. iii. p. 167.

<sup>87</sup> Rushworth, vol. vi. p. 537.

<sup>89</sup> Rushworth, vol. vi. p. 540.

<sup>88</sup> Rushworth, vol. vi. p. 538

Protestants were reduced to great extremities;<sup>90</sup> and it became prudent in the king, if not absolutely necessary, to embrace some expedient which might secure them for a time from the ruin and misery with which they were threatened.

Accordingly, the king gave orders<sup>91</sup> to Ormond and the justices to conclude for a year a cessation of arms with the Council of Kilkenny, by whom the Irish were governed, and to leave both sides in possession of their present advantages. The Parliament, whose business it was to find fault with every measure adopted by the opposite party, and who would not lose so fair an opportunity of reproaching the king with his favor to the Irish papists, exclaimed loudly against this cessation. Among other reasons, they insisted upon the divine vengeance, which England might justly dread, for tolerating antichristian idolatry on pretence of civil contracts and political agreements.<sup>92</sup> Religion, though every day employed as the engine of their own ambitious purposes, was supposed too sacred to be yielded up to the temporal interests or safety of kingdoms.

After the cessation, there was little necessity as well as no means of subsisting the army in Ireland. The king ordered Ormond, who was entirely devoted to him, to send over considerable bodies of it to England. Most of them continued in his service; but a small part, having imbibed in Ireland a strong animosity against the Catholics, and hearing the king's party universally reproached with popery, soon after deserted to the Parliament.

Some Irish Catholics came over with these troops and joined the royal army, where they continued the same cruelties and disorders to which they had been accustomed.<sup>93</sup> The Parliament voted that no quarter, in any action, should ever be given them; but Prince Rupert, by making some reprisals, soon repressed this inhumanity.<sup>94</sup>

<sup>90</sup> See further Carte's Ormond, vol. iii. No. 113, 127, 128, 129, 134, 136, 141, 144, 149, 158, 159. All these papers put it past doubt that the necessities of the English army in Ireland were extreme. See further Rushworth, vol. vi. p. 537; and Dugdale, pp. 853, 854.

<sup>91</sup> 7th September. See Rushworth, vol. vi. pp. 537, 544, 547.

<sup>92</sup> Rushworth, vol. vi. p. 557.

<sup>94</sup> Rushworth, vol. vi. pp. 680, 783.

<sup>93</sup> Whitlocke, pp. 78, 103.

## CHAPTER LVII.

INVASION OF THE SCOTS.—BATTLE OF MARSTON MOOR.—  
BATTLE OF CROPREDY BRIDGE.—ESSEX'S FORCES DIS-  
ARMED.—SECOND BATTLE OF NEWBURY.—RISE AND  
CHARACTER OF THE INDEPENDENTS.—SELF-DENYING OR-  
DINANCE.—FAIRFAX, CROMWELL.—TREATY OF UXBRIDGE.  
—EXECUTION OF LAUD.

[1644.] THE king had hitherto, during the course of the war, obtained many advantages over the Parliament, and had raised himself from that low condition into which he had at first fallen to be nearly upon an equal footing with his adversaries. Yorkshire, and all the northern counties, were reduced by the Marquis of Newcastle; and, excepting Hull, the Parliament was master of no garrisons in these quarters. In the west, Plymouth alone, having been in vain besieged by Prince Maurice, resisted the king's authority; and had it not been for the disappointment in the enterprise on Gloucester, the royal garrisons had reached without interruption from one end of the kingdom to the other, and had occupied a greater extent of ground than those of the Parliament. Many of the royalists flattered themselves that the same vigorous spirit which had elevated them to the present height of power would still favor their progress, and obtain them a final victory over their enemies; but those who judged more soundly observed that besides the accession of the whole Scottish nation to the side of the Parliament, the very principle on which the royal successes had been founded was every day acquired, more and more, by the opposite party. The king's troops, full of gentry and nobility, had exerted a valor superior to their enemies, and had hitherto been successful in almost every rencounter; but in proportion as the whole nation became warlike by the continuance of civil discords this advantage was more equally shared; and superior numbers, it was expected, must at length obtain the victory. The king's troops, also, ill-paid, and destitute of every necessary, could not possibly be retained in equal discipline with the parliamentary forces, to

whom all supplies were furnished from unexhausted stores and treasures.<sup>1</sup> The severity of manners so much affected by these zealous religionists assisted their military institutions; and the rigid inflexibility of character by which the austere reformers of Church and State were distinguished enabled the parliamentary chiefs to restrain their soldiers within stricter rules and more exact order. And while the king's officers indulged themselves even in greater licenses than those to which, during times of peace, they had been accustomed, they were apt both to neglect their military duty and to set a pernicious example of disorder to the soldiers under their command.

At the commencement of the civil war, all Englishmen who served abroad were invited over and treated with extraordinary respect; and most of them, being descended of good families, and, by reason of their absence, unacquainted with the new principles which depressed the dignity of the crown, had enlisted under the royal standard. But it is observable that though the military profession requires great genius and long experience in the principal commanders, all its subordinate duties may be discharged by ordinary talents and from superficial practice. Citizens and country gentlemen soon became excellent officers, and the generals of greatest fame and capacity happened, all of them, to spring up on the side of the Parliament. The courtiers and great nobility, in the other party, checked the growth of any extraordinary genius among the subordinate officers; and every man there, as in a regular established government, was confined to the station in which his birth had placed him.

The king, that he might make preparations during winter for the ensuing campaign, summoned to Oxford all the members of either House who adhered to his interests, and endeavored to avail himself of the name of Parliament, so passionately cherished by the English nation.<sup>2</sup> The House of Peers was pretty full, and besides the nobility employed in different parts of the kingdom, it contained twice as many members as commonly voted at Westminster. The House of Commons consisted of about one hundred and forty, which amounted not to above half of the other House of Commons.<sup>3</sup>

So extremely light had government hitherto lain upon

<sup>1</sup> Rushworth, vol. vi. p. 560.

<sup>2</sup> Rushworth, vol. vi. pp. 566, 574, 575.

Rushworth, vol. vi. p. 559.



the people, that the very name of *excise* was unknown to them; and among other evils arising from these domestic wars was the introduction of that impost into England. The Parliament at Westminster, having voted an excise on beer, wine, and other commodities, those at Oxford imitated the example, and conferred that revenue on the king. And, in order to enable him the better to recruit his army, they granted him the sum of one hundred thousand pounds, to be levied by way of loan upon the subject. The king circulated privy-seals, countersigned by the speakers of both Houses, requiring the loan of particular sums from such persons as lived within his quarters.<sup>4</sup> Neither party had as yet got above the pedantry of reproaching their antagonists with these illegal measures.

The Westminster Parliament passed a whimsical ordinance, commanding all the inhabitants of London and the neighborhood to retrench a meal a week, and to pay the value of it for the support of the public cause.<sup>5</sup> It is easily imagined that, provided the money were paid, they troubled themselves but little about the execution of their ordinance.

Such was the king's situation that, in order to restore peace to the nation, he had no occasion to demand any other terms than the restoring of the laws and constitution, the replacing him in the same rights which had ever been enjoyed by his predecessors, and the re-establishing on his ancient basis the whole frame of government, civil as well as ecclesiastical. And, that he might facilitate an end seemingly so desirable, he offered to employ means equally popular—a universal act of oblivion, and a toleration or indulgence to tender consciences. Nothing, therefore, could contribute more to his interests than every discourse of peace and every discussion of the conditions upon which that blessing could be obtained. For this reason he solicited a treaty on all occasions, and desired a conference and mutual examination of pretensions, even when he entertained no hopes that any conclusion could possibly result from it.

For like reasons, the Parliament prudently avoided, as much as possible, all advances towards negotiation, and were cautious not to expose too easily to censure those high terms which their apprehensions or their ambition made them previously demand of the king. Though their partisans were blinded with the thickest veil of religious prejudices,

<sup>4</sup> Rushworth, vol. vi. p. 590. <sup>5</sup> Dugdale, p. 119. Rushworth, vol. vi. p. 748.

they dreaded to bring their pretensions to the test, or lay them open before the whole nation. In opposition to the sacred authority of the laws, to the venerable precedents of many ages, the popular leaders were ashamed to plead nothing but fears and jealousies, which were not avowed by the constitution, and for which neither the personal character of Charles, so full of virtue, nor his situation, so deprived of all independent authority, seemed to afford any reasonable foundation. Grievances which had been fully redressed; powers, either legal or illegal, which had been entirely renounced, it seemed unpopular, and invidious, and ungrateful any further to insist on.

The king, that he might abate the universal veneration paid to the name of Parliament, had issued a declaration in which he set forth all the tumults by which himself and his partisans in both Houses had been driven from London; and he thence inferred that the assembly at Westminster was no longer a free Parliament, and, till its liberty were restored, was entitled to no authority. As this declaration was an obstacle to all treaty, some contrivance seemed requisite in order to elude it.

A letter was written in the foregoing spring to the Earl of Essex, and subscribed by the prince, the Duke of York, and forty-three noblemen.<sup>6</sup> They there exhort him to be an instrument of restoring peace, and to promote that happy end with those by whom he was employed. Essex, though much disgusted with the Parliament, though apprehensive of the extremities to which they were driving, though desirous of any reasonable accommodation, yet was still more resolute to preserve an honorable fidelity to the trust reposed in him. He replied that as the paper sent him neither contained any address to the two Houses of Parliament, nor any acknowledgment of their authority, he could not communicate it to them. Like proposals had been reiterated by the king during the ensuing campaign, and still met with a like answer from Essex.<sup>7</sup>

In order to make a new trial for a treaty, the king, this spring, sent another letter, directed to the Lords and Commons of Parliament assembled at Westminster; but as he also mentioned, in the letter, the Lords and Commons of Parliament assembled at Oxford, and declared that his scope and intention was to make provision that all the members

<sup>6</sup> Clarendon, vol. iii. p. 442. Rushworth, vol. vi. p. 566. Whitlocke, p. 77.

<sup>7</sup> Clarendon, vol. iii. p. 444. Rushworth, vol. vi. pp. 569, 570. Whitlocke, p. 94.

of both Houses might securely meet in a full and free assembly, the Parliament, perceiving the conclusion implied, refused all treaty upon such terms.<sup>8</sup> And the king, who knew what small hopes there were of accommodation, would not abandon the pretensions which he had assumed, nor acknowledge the two Houses more expressly for a free Parliament.

This winter the famous Pym died—a man as much hated by one party as respected by the other. At London he was considered as the victim to national liberty, who had abridged his life by incessant labors for the interests of his country.<sup>9</sup> At Oxford he was believed to have been struck with an uncommon disease, and to have been consumed with vermin, as a mark of divine vengeance for his multiplied crimes and treasons. He had been so little studious of improving his private fortune in those civil wars of which he had been one principal author, that the Parliament thought themselves obliged, from gratitude, to pay the debts which he had contracted.<sup>10</sup> We now return to the military operations, which, during the winter, were carried on with vigor in several places, notwithstanding the severity of the season.

The forces brought from Ireland were landed at Mostyne, in North Wales; and being put under the command of Lord Biron, they besieged and took the castles of Hawarden, Beeston, Acton, and Beddington House.<sup>11</sup> No place in Cheshire or the neighborhood now adhered to the Parliament, except Nantwich; and to this town Biron laid siege during the depth of winter. Sir Thomas Fairfax, alarmed at so considerable a progress of the royalists, assembled an army of four thousand men in Yorkshire, and, having joined Sir William Brereton, was approaching to the camp of the enemy. Biron and his soldiers, elated with successes obtained in Ireland, had entertained the most profound contempt for the parliamentary forces—a disposition which, if confined to the army, may be regarded as a good presage of victory; but if it extend to the general is the most probable forerunner of a defeat. Fairfax suddenly attacked the camp of the royalists. The swelling of the river by a thaw divided one part of the army from the other. That part exposed to Fairfax, being beaten from their post, retired into the church of Acton, and were all taken prisoners, the other retreated with precipitation.<sup>12</sup> And thus was dissi-

<sup>8</sup> Clarendon, vol. iii. p. 449. Whitlocke, p. 79.

<sup>9</sup> Whitlocke, p. 66.

<sup>10</sup> Journal, February 13, 1643.

<sup>11</sup> Rushworth, vol. vi. p. 299.

<sup>12</sup> Rushworth, vol. vi. p. 301.

pated, or rendered useless, that body of forces which had been drawn from Ireland, and the parliamentary party revived in those northwest counties of England.

The invasion from Scotland was attended with consequences of much greater importance. The Scots, having summoned in vain the town of Newcastle, which was fortified by the vigilance of Sir Thomas Glenham, passed the Tyne and faced the Marquis of Newcastle, who lay at Durham, with an army of fourteen thousand men.<sup>13</sup> After some military operations, in which that nobleman reduced the enemy to difficulties for forage and provisions, he received intelligence of a great disaster which had befallen his forces in Yorkshire. Colonel Bellasis, whom he had left with a considerable body of troops, was totally routed at Selby by Sir Thomas Fairfax, who had returned from Cheshire with his victorious forces.<sup>14</sup> Afraid of being enclosed between two armies, Newcastle retreated; and Leven having joined Lord Fairfax, they sat down before York, to which the army of the royalists had retired. But as the parliamentary and Scottish forces were not numerous enough to invest so large a town, divided by a river, they contented themselves with incommoding it by a loose blockade; and affairs remained for some time in suspense between these opposite armies.<sup>15</sup>

During this winter and spring, other parts of the kingdom had also been infested with war. Hopton, having assembled an army of fourteen thousand men, endeavored to break into Sussex, Kent, and the southern association, which seemed well disposed to receive them. Waller fell upon him at Cherington, and gave him a defeat<sup>16</sup> of considerable importance. In another quarter, siege being laid to Newark by the parliamentary forces, Prince Rupert prepared himself for relieving a town of such consequence, which alone preserved the communication open between the king's southern and northern quarters.<sup>17</sup> With a small force, but that animated by his active courage, he broke through the enemy, relieved the town, and totally dissipated that army of the Parliament.<sup>18</sup>

But though fortune seemed to have divided her favors between the parties, the king found himself, in the main, a considerable loser by this winter campaign, and he prog-

<sup>13</sup> Rushworth, vol. vi. p. 615.

<sup>14</sup> Rushworth, vol. vi. p. 618.

<sup>16</sup> 29th of March.

<sup>18</sup> 21st of March.

<sup>15</sup> Rushworth, vol. vi. p. 620.

<sup>17</sup> Rushworth, vol. vi. p. 306.



nosticated a still worse event from the ensuing summer. The preparations of the Parliament were great, and much exceeded the slender resources of which he was possessed. In the eastern association they levied fourteen thousand men, under the Earl of Manchester, seconded by Cromwell.<sup>19</sup> An army of ten thousand men, under Essex, another of nearly the same force under Waller, were assembled in the neighborhood of London. The former was destined to oppose the king; the latter was appointed to march into the west, where Prince Maurice, with a small army which went continually to decay, was spending his time in vain before Lyme, an inconsiderable town upon the sea-coast. The utmost efforts of the king could not raise above ten thousand men at Oxford; and on their sword chiefly, during the campaign, were these to depend for subsistence.

The queen, terrified with the dangers which every way environed her, and afraid of being enclosed in Oxford, in the middle of the kingdom, fled to Exeter, where she hoped to be delivered unmolested of the child with which she was now pregnant, and whence she had the means of an easy escape into France, if pressed by the forces of the enemy. She knew the implacable hatred which the Parliament, on account of her religion and her credit with the king, had all along borne her. Last summer the Commons had sent up to the Peers an impeachment of high treason against her, because, in his utmost distresses, she had assisted her husband with arms and ammunition, which she had bought in Holland.<sup>20</sup> And had she fallen into their hands, neither her sex, she knew, nor high station could protect her against insults at least, if not danger, from those haughty republicans, who so little affected to conduct themselves by the maxims of gallantry and politeness.

From the beginning of these dissensions, the Parliament, it is remarkable, had in all things assumed an extreme ascendant over their sovereign, and had displayed a violence, and arrogated an authority, which, on his side, would not have been compatible either with his temper or his situation. While he spoke perpetually of pardoning all *rebels*, they talked of nothing but the punishment of *delinquents* and *malignants*; while he offered a toleration and indulgence to tender consciences, they threatened the utter extirpation of prelacy; to his professions of lenity they opposed declarations of rigor; and the more the ancient tenor of the laws

<sup>19</sup> Rushworth, vol. iv. p. 621.

<sup>20</sup> Rushworth, vol. iv. p. 321.

inculcated a respectful subordination to the crown, the more careful were they, by their lofty pretensions, to cover that defect under which they labored.

Their great advantages in the north seemed to second their ambition, and finally to promise them success in their unwarrantable enterprises. Manchester, having taken Lincoln, had united his army to that of Leven and Fairfax; and York was now closely besieged by their combined forces. That town, though vigorously defended by Newcastle, was reduced to extremity; and the parliamentary generals, after enduring great losses and fatigues, flattered themselves that all their labors would at last be crowned by this important conquest. On a sudden, they were alarmed by the approach of Prince Rupert. This gallant commander, having vigorously exerted himself in Lancashire and Cheshire, had collected a considerable army; and, joining Sir Charles Lucas, who commanded Newcastle's horse, hastened to the relief of York with an army of twenty thousand men. The Scottish and parliamentary generals raised the siege, and, drawing up on Marston Moor, purposed to give battle to the royalists. Prince Rupert approached the town by another quarter, and, interposing the river Ouse between him and the enemy, safely joined his forces to those of Newcastle. The marquis endeavored to persuade him that, having so successfully effected his purpose, he ought to be content with his present advantages, and leave the enemy, now much diminished by their losses and discouraged by their ill success, to dissolve by those mutual dissensions which had begun to take place among them.<sup>21</sup> The prince, whose martial disposition was not sufficiently tempered with prudence nor softened by complaisance, pretending positive orders from the king, without deigning to consult with Newcastle, whose merits and services deserved better treatment, immediately issued orders for battle, and led out the army to Marston Moor.<sup>22</sup> This action was obstinately disputed between the most numerous armies that were engaged during the course of these wars; nor were the forces on each side much different in number. Fifty thousand British troops were led to mutual slaughter, and the victory seemed long undecided between them. Prince Rupert, who commanded the right wing of the royalists, was opposed to Cromwell,<sup>23</sup> who conducted the choice troops of the Parliament, injured

<sup>21</sup> Life of the Duke of Newcastle, p. 40.

<sup>22</sup> Clarendon, vol. v. p. 506.

<sup>23</sup> Rushworth, part iii. vol. ii. p. 633.

to danger under that determined leader, animated by zeal, and confirmed by the most rigid discipline. After a sharp combat, the cavalry of the royalists gave way; and such of the infantry as stood next them were likewise borne down and put to flight. Newcastle's regiment alone, resolute to conquer or to perish, obstinately kept their ground, and maintained, by their dead bodies, the same order in which they had at first been ranged. In the other wing, Sir Thomas Fairfax and Colonel Lambert, with some troops, broke through the royalists; and, transported by the ardor of pursuit, soon reached their victorious friends, engaged also in pursuit of the enemy. But after that attempt was past, Lucas, who commanded the royalists in this wing, restoring order to his broken forces, made a furious attack on the parliamentary cavalry, threw them into disorder, pushed them upon their own infantry, and put that whole wing to rout. When ready to seize on their carriages and baggage, he perceived Cromwell, who was now returned from pursuit of the other wing. Both sides were not a little surprised to find that they must again renew the combat for that victory which each of them thought they had already obtained. The front of the battle was now exactly counterchanged; and each army occupied the ground which had been possessed by the enemy at the beginning of the day. This second battle was equally furious and desperate with the first; but after the utmost efforts of courage by both parties, victory wholly turned to the side of the Parliament. The prince's train of artillery was taken, and his whole army pushed off the field of battle.<sup>24</sup>

This event was in itself a mighty blow to the king; but proved more fatal in its consequences. The Marquis of Newcastle was entirely lost to the royal cause. That nobleman, the ornament of the court and of his order, had been engaged, contrary to the natural bent of his disposition, into these military operations merely by a high sense of honor and a personal regard to his master. The dangers of war were disregarded by his valor, but its fatigues were oppressive to his natural indolence. Munificent and generous in his expense, polite and elegant in his taste, courteous and humane in his behavior, he brought a great accession of friends and of credit to the party which he embraced. But, amid all the hurry of action, his inclinations were secretly drawn to the soft arts of peace, in which he took delight;

<sup>24</sup> Rushworth, vol. vi. p. 632. Whitlocke, p. 89.

and the charms of poetry, music, and conversation often stole him from his rougher occupations. He chose Sir William Davenant, an ingenious poet, for his lieutenant-general; the other persons, in whom he placed confidence, were more the instruments of his refined pleasures than qualified for the business which they undertook; and the severity and application requisite to the support of discipline were qualities in which he was entirely wanting.<sup>25</sup>

When Prince Rupert, contrary to his advice, resolved on this battle, and issued all orders, without communicating his intentions to him, he took the field, but, he said, merely as a volunteer; and except by his personal courage, which shone out with lustre, he had no share in the action. Enraged to find that all his successful labors were rendered abortive by one act of fatal temerity, terrified with the prospect of renewing his pains and fatigue, he resolved no longer to maintain the few resources which remained to a desperate cause, and thought that the same regard to honor which had at first called him to arms now required him to abandon a party where he met with such unworthy treatment. Next morning early he sent word to the prince that he was instantly to leave the kingdom; and, without delay, he went to Scarborough, where he found a vessel which carried him beyond sea. During the ensuing years, till the Restoration, he lived abroad in great necessity, and saw, with indifference, his opulent fortune sequestered by those who assumed the government of England. He disdained, by submission or composition, to show obeisance to their usurped authority; and the least favorable censors of his merit allowed that the fidelity and services of a whole life had sufficiently atoned for one rash action into which his passion had betrayed him.<sup>26</sup>

Prince Rupert, with equal precipitation, drew off the remains of his army, and retired into Lancashire. Glenham, in a few days, was obliged to surrender York; and he marched out his garrison with all the honors of war.<sup>27</sup> Lord Fairfax, remaining in the city, established his government in that whole county, and sent a thousand horse into Lancashire, to join with the parliamentary forces in that quarter, and attend the motions of Prince Rupert. The Scottish army marched northwards, in order to join the Earl of Calender, who was advancing with ten thousand additional

<sup>25</sup> Clarendon, vol. v. pp. 507, 508. See Warwick.

<sup>26</sup> Clarendon, vol. v. p. 511.

<sup>27</sup> Rushworth, vol. vi. p. 638.



forces,<sup>28</sup> and to reduce the town of Newcastle, which they took by storm. The Earl of Manchester, with Cromwell, to whom the fame of this great victory was chiefly ascribed, and who was wounded in the action, returned to the eastern association, in order to recruit his army.<sup>29</sup>

While these events passed in the north, the king's affairs in the south were conducted with more success and greater abilities. Ruthven, a Scotchman, who had been created Earl of Brentford, acted under the king as general.

The Parliament soon completed their two armies commanded by Essex and Waller. The great zeal of the city facilitated this undertaking. Many speeches were made to the citizens by the parliamentary leaders, in order to excite their ardor. Hollis, in particular, exhorted them not to spare, on this important occasion, either their purses, their persons, or their prayers; <sup>30</sup> and, in general, it must be confessed, they were sufficiently liberal in all these contributions. The two generals had orders to march with their combined armies towards Oxford, and, if the king retired into that city, to lay siege to it, and by one enterprise put a period to the war. The king, leaving a numerous garrison in Oxford, passed with dexterity between the two armies, which had taken Abingdon and had enclosed him on both sides.<sup>31</sup> He marched towards Worcester; and Waller received orders from Essex to follow him and watch his motions, while he himself marched into the west in quest of Prince Maurice. Waller had approached within two miles of the royal camp, and was only separated from it by the Severn, when he received intelligence that the king was advanced to Bewdley, and had directed his course towards Shrewsbury. In order to prevent him, Waller presently dislodged, and hastened by quick marches to that town; while the king, suddenly returning upon his own footsteps, reached Oxford; and having reinforced his army from that garrison, now in his turn marched out in quest of Waller. The two armies faced each other at Cropredy Bridge, near Banbury; but the Charwell ran between them. Next day the king decamped, and marched towards Daventry. Waller ordered a considerable detachment to pass the bridge, with an intention of falling on the rear of the royalists. He was repulsed, routed, and pursued with considerable loss.<sup>32</sup>

<sup>28</sup> Whitlocke, p. 88.

<sup>30</sup> Rushworth, vol. vi. p. 662.

<sup>32</sup> Rushworth, vol. vi. p. 676.

<sup>29</sup> Rushworth, vol. vi. p. 641.

<sup>31</sup> 3d of June.

Clarendon, vol. v. p. 497. Sir Edward Walker, p. 31.

Stunned and disheartened with this blow, his army decayed and melted away by desertion; and the king thought he might safely leave it, and march westward against Essex. That general, having obliged Prince Maurice to raise the siege of Lyme, having taken Weymouth and Taunton, advanced still in his conquests, and met with no equal opposition. The king followed him, and having reinforced his army from all quarters, appeared in the field with an army superior to the enemy. Essex, retreating into Cornwall, informed the Parliament of his danger, and desired them to send an army which might fall on the king's rear. General Middleton received a commission to execute that service, but came too late. Essex's army, cooped up in a narrow corner at Lestithiel, deprived of all forage and provisions, and seeing no prospect of succor, was reduced to the last extremity. The king pressed them on one side, Prince Maurice on another, Sir Richard Granville on a third. Essex, Robarts, and some of the principal officers escaped in a boat to Plymouth; Balfour with his horse passed the king's outposts, in a thick mist, and got safely to the garrisons of his own party. The foot under Skippon were obliged to surrender their arms, artillery, baggage and ammunition; and, being conducted to the Parliament's quarters, were dismissed. By this advantage, which was much boasted of, the king, besides the honor of the enterprise, obtained what he stood extremely in need of; the Parliament, having preserved the men, lost what they could easily repair.<sup>33</sup>

No sooner did this intelligence reach London than the committee of the two kingdoms voted thanks to Essex for his fidelity, courage, and conduct; and this method of proceeding, no less politic than magnanimous, was preserved by the Parliament throughout the whole course of the war. Equally indulgent to their friends and rigorous to their enemies, they employed with success these two powerful engines of reward and punishment in confirmation of their authority.

That the king might have less reason to exult in the advantages which he had obtained in the west, the Parliament opposed to him very numerous forces. Having armed anew Essex's subdued but not disheartened troops, they ordered Manchester and Cromwell to march with their recruited forces from the eastern association, and, joining their armies

<sup>33</sup> Rushworth, vol. vi. p. 699, etc. Whitlocke, p. 98. Clarendon, vol. v. pp. 524, 525. Sir Edward Walker, pp. 69, 70, etc.

to those of Waller and Middleton as well as of Essex, offered battle to the king. Charles chose his post at Newbury, where the parliamentary armies, under the Earl of Manchester, attacked him with great vigor; and that town was a second time the scene of the bloody animosities of the English. Essex's soldiers, exhorting one another to repair their broken honor and revenge the disgrace of Lestithiel, made an impetuous assault on the royalists; and having recovered some of their cannon, lost in Cornwall, could not forbear embracing them with tears of joy. Though the king's troops defended themselves with valor, they were overpowered by numbers; and the night came very seasonably to their relief, and prevented a total overthrow. Charles, leaving his baggage and cannon in Dennington Castle, near Newbury, forthwith retreated to Wallingford, and thence to Oxford. There Prince Rupert and the Earl of Northampton joined him with considerable bodies of cavalry. Strengthened by this reinforcement, he ventured to advance towards the enemy, now employed before Dennington Castle.<sup>34</sup> Essex, detained by sickness, had not joined the army since his misfortune in Cornwall. Manchester, who commanded, though his forces were much superior to those of the king, declined an engagement, and rejected Cromwell's advice, who earnestly pressed him not to neglect so favorable an opportunity of finishing the war. The king's army, by bringing off their cannon from Dennington Castle in the face of the enemy, seemed to have sufficiently repaired the honor which they had lost at Newbury; and Charles, having the satisfaction to excite between Manchester and Cromwell equal animosities with those which formerly took place between Essex and Waller,<sup>35</sup> distributed his army into winter-quarters.

Those contests among the parliamentary generals, which had disturbed their military operations, were renewed in London during the winter season; and, each being supported by his own faction, their mutual reproaches and accusations agitated the whole city and Parliament. There had long prevailed in that party a secret distinction, which, though the dread of the king's power had hitherto suppressed it, yet, in proportion as the hopes of success became nearer and more immediate, began to discover itself with high contest and animosity. The Independents, who had at first taken shelter and concealed themselves under the

<sup>34</sup> Rushworth, vol. vi. p. 721.

<sup>35</sup> Rushworth, vol. vii. p. 1.

wings of Presbyterians, now evidently appeared a distinct party, and betrayed very different views and pretensions. We must here endeavor to explain the genius of this party and of its leaders, who henceforth occupy the scene of action.

During those times when the enthusiastic spirit met with such honor and encouragement, and was the immediate means of distinction and preferment, it was impossible to set bounds to these holy fervors, or confine within any natural limits what was directed towards an infinite and a supernatural object. Every man, as prompted by the warmth of his temper, excited by emulation, or supported by his habits of hypocrisy, endeavored to distinguish himself beyond his fellows, and to arrive at a higher pitch of saintship and perfection. In proportion to its degree of fanaticism, each sect became dangerous and destructive, and, as the Independents went a note higher than the Presbyterians, they could less be restrained within any bounds of temper and moderation. From this distinction, as from a first principle, were derived, by a necessary consequence, all the other differences of these two sects.

The Independents rejected all ecclesiastical establishments, and would admit of no spiritual courts, no government among pastors, no interposition of the magistrate in religious concerns, no fixed encouragement annexed to any system of doctrines or opinions. According to their principles, each congregation, united voluntarily and by spiritual ties, composed, within itself, a separate church, and exercised a jurisdiction, but one destitute of temporal sanctions, over its own pastor and its own members. The election alone of the congregation was sufficient to bestow the sacerdotal character; and as all essential distinctions was denied between the laity and the clergy, no ceremony, no institution, no vocation, no imposition of hands, was, as in all other churches, supposed requisite to convey a right to holy orders. The enthusiasm of the Presbyterians led them to reject the authority of prelates, to throw off the restraint of liturgies, to retrench ceremonies, to limit the riches and authority of the priestly office; the fanaticism of the Independents, exalted to a higher pitch, abolished ecclesiastical government, disdained creeds and systems, neglected every ceremony, and confounded all ranks and orders. The soldier, the merchant, the mechanic, indulging the fervors of zeal, and guided by the illapses of



the Spirit, resigned himself to an inward and superior direction, and was consecrated, in a manner, by an immediate intercourse and communication with Heaven.

The Catholics, pretending to an infallible guide, had justified, upon that principle, their doctrine and practice of persecution; the Presbyterians, imagining that such clear and certain tenets as they themselves adopted could be rejected only from a criminal and pertinacious obstinacy, had hitherto gratified to the full their bigoted zeal in a like doctrine and practice; the Independents, from the extremity of the same zeal, were led into the milder principles of toleration. Their mind, set afloat in the wide sea of inspiration, could confine itself within no certain limits; and the same variations in which an enthusiast indulged himself he was apt, by a natural train of thinking, to permit in others. Of all Christian sects, this was the first which, during its prosperity as well as its adversity, always adopted the principle of toleration; and it is remarkable that so reasonable a doctrine owed its origin not to reasoning, but to the height of extravagance and fanaticism.

Popery and prelacy alone, whose genius seemed to tend towards superstition, were treated by the Independents with rigor. The doctrines, too, of fate or destiny were deemed by them essential to all religion. In these rigid opinions the whole sectaries, amid all their other differences, unanimously concurred.

The political system of the Independents kept pace with their religious. Not content with confining to very narrow limits the power of the crown, and reducing the king to the rank of first magistrate, which was the project of the Presbyterians, this sect, more ardent in the pursuit of liberty, aspired to a total abolition of the monarchy, and even of the aristocracy, and projected an entire equality of rank and order in a republic, quite free and independent. In consequence of this scheme, they were declared enemies to all proposals for peace, except on such terms as, they knew, it was impossible to obtain; and they adhered to that maxim, which is in the main prudent and political, that whoever draws the sword against his sovereign should throw away the scabbard. By terrifying others with the fear of vengeance from the offended prince, they had engaged greater numbers into the opposition against peace than had adopted their other principles with regard to government and religion. And the great success which had already attended the

arms of the Parliament, and the greater which was soon expected, confirmed them still further in this obstinacy.

Sir Harry Vane, Oliver Cromwell, Nathaniel Fiennes, and Oliver St. John, the solicitor-general, were regarded as the leaders of the Independents. The Earl of Essex, disgusted with a war of which he began to foresee the pernicious consequences, adhered to the Presbyterians, and promoted every reasonable plan of accommodation. The Earl of Northumberland, fond of his rank and dignity, regarded with horror a scheme which, if it took place, would confound himself and his family with the lowest in the kingdom. The Earls of Warwick and Denbigh, Sir Philip Stapleton, Sir William Waller, Hollis, Massey, Whitlocke, Maynard, Glyn, had embraced the same sentiments. In the Parliament a considerable majority, and a much greater in the nation, were attached to the Presbyterian party, and it was only by cunning and deceit at first, and afterwards by military violence, that the Independents could entertain any hopes of success.

The Earl of Manchester, provoked at the impeachment which the king had lodged against him, had long forwarded the war with alacrity; but being a man of humanity and good principles, the view of public calamities, and the prospect of a total subversion of government began to moderate his ardor, and inclined him to promote peace on any safe or honorable terms. He was even suspected, in the field, not to have pushed to the utmost against the king the advantages obtained by the arms of the Parliament, and Cromwell, in the public debates, revived the accusation that this nobleman had wilfully neglected, at Dennington Castle, a favorable opportunity of finishing the war by a total defeat of the royalists. "I showed him evidently," said Cromwell, "how this success might be obtained, and only desired leave, with my own brigade of horse, to charge the king's army in their retreat, leaving it in the earl's choice, if he thought proper, to remain neutral with the rest of his forces; but, notwithstanding my importunity, he positively refused his consent, and gave no other reason but that, if we met with a defeat, there was an end of our pretensions; we should all be rebels and traitors, and be executed and forfeited by law." <sup>36</sup>

Manchester, by way of recrimination, informed the Parliament that at another time, Cromwell having proposed

some scheme to which it seemed improbable the Parliament would agree, he insisted and said, “‘My lord, if you will stick firm to honest men, you shall find yourself at the head of an army, which shall give law both to king and Parliament.’ This discourse,” continued Manchester, “made the greater impression on me, because I knew the lieutenant-general to be a man of very deep designs; and he has even ventured to tell me that it never would be well with England till I were Mr. Montague, and there were ne’er a lord or peer in the kingdom.”<sup>37</sup> So full was Cromwell of these republican projects that, notwithstanding his habits of profound dissimulation, he could not so carefully guard his expressions but that sometimes his favorite notions would escape him.

These violent dissensions brought matters to extremity, and pushed the Independents to the execution of their designs. The present generals, they thought, were more desirous of protracting than finishing the war, and having entertained a scheme for preserving still some balance in the constitution, they were afraid of entirely subduing the king, and reducing him to a condition where he should not be entitled to ask any concessions. A new model alone of the army could bring complete victory to the Parliament, and free the nation from those calamities under which it labored. But how to effect this project was the difficulty. The authority as well as merits of Essex was very great with the Parliament. Not only he had served them all along with the most exact and scrupulous honor, it was, in some measure, owing to his popularity that they had ever been enabled to levy an army, or make head against the royal cause. Manchester, Warwick, and the other commanders had likewise great credit with the public; nor were there any hopes of prevailing over them but by laying the plan of an oblique and artificial attack, which would conceal the real purpose of their antagonists. The Scots and Scottish commissioners, jealous of the progress of the Independents, were a new obstacle, which without the utmost art and subtlety it would be difficult to surmount.<sup>38</sup> The methods by which this intrigue was conducted are so singular, and show so fully the genius of the age, that we shall give a detail of them as they are delivered by Lord Clarendon.<sup>39</sup>

A fast on the last Wednesday of every month had been

<sup>37</sup> Clarendon, vol. v. p. 562.

<sup>38</sup> Clarendon, vol. v. p. 265.

<sup>39</sup> Clarendon, vol. v. p. 565.

ordered by the Parliament at the beginning of these commotions; and their preachers on that day were careful to keep alive, by their vehement declamations, the popular prejudices entertained against the king, against prelacy, and against popery. The king, that he might combat the Parliament with their own weapons, appointed likewise a monthly fast, when the people should be instructed in the duties of loyalty and of submission to the higher powers; and he chose the second Friday of every month for the devotion of the royalists.<sup>40</sup> It was now proposed and carried in Parliament by the Independents that a new and more solemn fast should be voted, when they should implore the divine assistance for extricating them from those perplexities in which they were at present involved. On that day the preachers, after many political prayers, took care to treat of the reigning divisions in the Parliament, and ascribed them entirely to the selfish ends pursued by the members. In the hands of those members, they said, are lodged all the considerable commands of the army, all the lucrative offices in the civil administration; and while the nation is falling every day into poverty, and groans under an insupportable load of taxes, these men multiply possession on possession, and will in a little time be masters of all the wealth of the kingdom. That such persons who fatten on the calamities of their country will ever embrace any effectual measure for bringing them to a period, or insuring final success to the war, cannot reasonably be expected. Lingering expedients alone will be pursued, and, operations in the field concurring, in the same pernicious end, with deliberations in the cabinet, civil commotions will forever be perpetuated in the nation. After exaggerating these disorders, the ministers returned to their prayers, and besought the Lord that he would take his own work into his own hand; and, if the instruments whom he had hitherto employed were not worthy to bring to a conclusion so glorious a design, that he would inspire others more fit, who might perfect what was begun, and, by establishing true religion, put a speedy period to the public miseries.

On the day subsequent to these devout animadversions, when the Parliament met, a new spirit appeared in the looks of many. Sir Henry Vane told the Commons that if ever God appeared to them, it was in the ordinances of yesterday; that, as he was credibly informed by many who had

<sup>40</sup> Rushworth, vol. vi. p. 364.



been present in different congregations, the same lamentations and discourses which the godly preachers had made before them had been heard in other churches; that so remarkable a concurrence could proceed only from the immediate operation of the Holy Spirit; that he therefore entreated them, in vindication of their own honor, in consideration of their duty to God and their country, to lay aside all private ends and renounce every office attended with profit or advantage; that the absence of so many members, occupied in different employments, had rendered the House extremely thin and diminished the authority of their determinations; and that he could not forbear, for his own part, accusing himself as one who enjoyed a gainful office—that of treasurer of the navy; and though he was possessed of it before the civil commotions, and owed it not to the favor of the Parliament, yet was he ready to resign it and to sacrifice to the welfare of his country every consideration of private interest and advantage.

Cromwell next acted his part, and commended the preachers for having dealt with them plainly and impartially, and told them of their errors, of which they were so unwilling to be informed. Though they dwelt on many things, he said, on which he had never before reflected, yet, upon revolving them, he could not but confess that till there were a perfect reformation in these particulars, nothing which they undertook could possibly prosper. The Parliament, no doubt, continued he, had done wisely, on the commencement of the war, in engaging several of its members in the most dangerous parts of it, and thereby satisfying the nation that they intended to share all hazards with the meanest of the people. But affairs are now changed. During the progress of military operations there have arisen in the parliamentary armies many excellent officers who are qualified for higher commands than they are now possessed of. And though it becomes not men engaged in such a cause *to put trust in the arm of flesh*, yet he could assure them that their troops contained generals fit to command in any enterprise in Christendom. The army, indeed, he was sorry to say it, did not correspond by its discipline to the merit of the officers; nor were there any hopes till the present vices and disorders which prevail among the soldiers were repressed by a new model, that their forces would ever be attended with signal success in any undertaking.

In opposition to this reasoning of the Independents,

many of the Presbyterians showed the inconvenience and danger of the projected alteration. Whitlocke, in particular, a man of honor, who loved his country, though in every change of government he always adhered to the ruling power, said that besides the ingratitude of discarding, and that by fraud and artifice, so many noble persons, to whom the Parliament had hitherto owed its chief support, they would find it extremely difficult to supply the place of men now formed by experience to command and authority; that the rank alone possessed by such as were members of either House prevented envy, retained the army in obedience, and gave weight to military orders; that greater confidence might safely be reposed in men of family and fortune than in mere adventurers, who would be apt to entertain separate views from those which were embraced by the persons who employed them; that no maxim of policy was more undisputed than the necessity of preserving an inseparable connection between the civil and military powers, and of retaining the latter in strict subordination to the former; that the Greeks and Romans, the wisest and most passionate lovers of liberty, had ever intrusted to their senators the command of armies, and had maintained an unconquerable jealousy of all mercenary forces; and that such men alone, whose interests were involved in those of the public, and who possessed a vote in the civil deliberations, would sufficiently respect the authority of Parliament, and never could be tempted to turn the sword against those by whom it was committed to them.<sup>41</sup>

Notwithstanding these reasonings, a committee was chosen to frame what was called the *self-denying ordinance*, by which the members of both Houses were excluded from all civil and military employments, except a few offices which were specified. This ordinance was the subject of great debate, and for a long time rent the Parliament and city into factions. But at last—by the prevalence of envy with some; with others, of false modesty; with a great many, of the republican and independent views—it passed the House of Commons and was sent to the upper House. The Peers, though the scheme was, in part, levelled against their order; though all of them were, at bottom, extremely averse to it; though they even ventured once to reject it, yet possessed so little authority that they durst not persevere in opposing the resolution of the Commons; and they thought it better

<sup>41</sup> Whitlocke, pp. 114, 115. Rushworth, vol. vii. p. 6.

policy by an unlimited compliance to ward off that ruin which they saw approaching.<sup>42</sup> The ordinance, therefore, having passed both Houses, Essex, Warwick, Manchester, Denbigh, Waller, Brereton, and many others resigned their commands, and received the thanks of Parliament for their good services. A pension of ten thousand pounds a year was settled on Essex.

[1645.] It was agreed to recruit the army to twenty-two thousand men; and Sir Thomas Fairfax was appointed general.<sup>43</sup> It is remarkable that his commission did not run, like that of Essex, in the name of the king and Parliament, but in that of the Parliament alone; and the article concerning the safety of the king's person was omitted. So much had animosities increased between the parties.<sup>44</sup> Cromwell, being a member of the lower House, should have been discarded with the others; but this impartiality would have disappointed all the views of those who had introduced the self-denying ordinance. He was saved by a subtlety, and by that political craft in which he was so eminent. At the time when the other officers resigned their commissions, care was taken that he should be sent, with a body of horse, to relieve Taunton, besieged by the royalists. His absence being remarked, orders were despatched for his immediate attendance in Parliament; and the new general was directed to employ some other officer in that service. A ready compliance was feigned; and the very day was named on which it was averred he would take his place in the House. But Fairfax, having appointed a rendezvous of the army, wrote to the Parliament, and desired leave to retain for some days Lieutenant-general Cromwell, whose advice, he said, would be useful in supplying the place of those officers who had resigned. Shortly after, he begged with much earnestness that they would allow Cromwell to serve that campaign.<sup>45</sup> And thus the Independents, though the minority, prevailed by art and cunning over the Presbyterians, and bestowed the whole military authority in appearance upon Fairfax, in reality upon Cromwell.

Fairfax was a person equally eminent for courage and for humanity; and though strongly infected with prejudices or principles derived from religious and party zeal, he seems never, in the course of his public conduct, to have been diverted by private interest or ambition from adhering strictly to

<sup>42</sup> Rushworth, vol. vii. pp. 8, 15. <sup>43</sup> Whitlocke, p. 118. Rushworth, vol. vii. p. 1.

<sup>44</sup> Whitlocke, p. 133.

<sup>45</sup> Clarendon, vol. v. pp. 629, 630. Whitlocke, p. 147.

these principles. Sincere in his professions, disinterested in his views, open in his conduct, he had formed one of the most shining characters of the age, had not the extreme narrowness of his genius, in everything but in war, and his embarrassed and confused elocution on every occasion but when he gave orders, diminished the lustre of his merit, and rendered the part which he acted, even when vested with the supreme command, but secondary and subordinate.

Cromwell, by whose sagacity and insinuation Fairfax was entirely governed, is one of the most eminent and most singular personages that occur in history. The strokes of his character are as open and as strongly marked as the schemes of his conduct were during the time dark and impenetrable. His extensive capacity enabled him to form the most enlarged projects; his enterprising genius was not dismayed with the boldest and most dangerous. Carried by his natural temper to magnanimity, to grandeur, and to an imperious and domineering policy, he yet knew, when necessary, to employ the most profound dissimulation, the most oblique and refined artifice, the semblance of the greatest moderation and simplicity. A friend to justice, though his public conduct was one continued violation of it; devoted to religion, though he perpetually employed it as the instrument of his ambition, he was engaged in crimes from the prospect of sovereign power—a temptation which is, in general, irresistible to human nature. And by using well that authority which he had attained by fraud and violence he has lessened, if not overpowered, our detestation of his enormities by our admiration of his success and of his genius.

During this important transaction of the self-denying ordinance, the negotiations for peace were likewise carried on, though with small hopes of success. The king having sent two messages—one from Evesham,<sup>46</sup> another from Tavistoke<sup>47</sup>—desiring a treaty, the Parliament despatched commissioners to Oxford with proposals as high as if they obtained a complete victory.<sup>48</sup> The advantages gained during the campaign, and the great distresses of the royalists, had much elevated their hopes; and they were resolved to repose no trust in men inflamed with the highest animosity against them, and who, were they possessed of power, were

<sup>46</sup> 4th of July, 1644.

<sup>48</sup> Dugdale, p. 737. Rushworth, vol. vi. p. 850

<sup>47</sup> 8th of September, 1644.



fully authorized by law to punish all their opponents as rebels and traitors.

The king, when he considered the proposals and the disposition of the Parliament, could not expect any accommodation, and had no prospect but of war, or of total submission and subjection; yet, in order to satisfy his own party, who were impatient for peace, he agreed to send the Duke of Richmond and Earl of Southampton with an answer to the proposals of the Parliament, and at the same time to desire a treaty upon their mutual demands and pretensions.<sup>49</sup> It now became necessary for him to retract his former declaration that the two Houses at Westminster were not a free Parliament; and accordingly he was induced, though with great reluctance, to give them in his answer the appellation of the Parliament of England.<sup>50</sup> But it appeared afterwards by a letter which he wrote to the queen, and of which a copy was taken at Naseby, that he secretly entered an explanatory protest in his council-book; and he pretended that though he had *called* them the Parliament, he had not thereby *acknowledged* them for such.<sup>51</sup> This subtlety, which had been frequently objected to Charles, is the most noted of those very few instances from which the enemies of this prince have endeavored to load him with the imputation of insincerity, and have inferred that the Parliament could repose no confidence in his professions and declarations, not even in his laws and statutes. There is, however, it must be confessed, a difference universally avowed between simply giving to men the appellation which they assume and the formal acknowledgment of their title to it; nor is anything more common and familiar in all public transactions.

The time and place of treaty being settled, sixteen commissioners from the king met at Uxbridge, with twelve authorized by the Parliament, attended by the Scottish commissioners. It was agreed that the Scottish and parliamentary commissioners should give in their demands with regard to three important articles—*religion*, the *militia*, and *Ireland*; and that these should be successively discussed

<sup>49</sup> Whitlocke, p. 110.

<sup>50</sup> Whitlocke, p. 111. Dugdale, p. 748.

<sup>51</sup> His words are: "As for my calling those at London a Parliament, I shall refer thee to Digby for particular satisfaction. This in general: if there had been but two besides myself of my opinion, I had not done it; and the argument that prevailed with me was that the calling did no ways acknowledge them to be a Parliament; upon which condition and construction I did it, and no otherwise, and accordingly it is registered in the council-books, with the council's unanimous approbation."—*The King's Cabinet Opened*. Rushworth, vol. iv. p. 943.

in conference with the king's commissioners.<sup>52</sup> It was soon found impracticable to come to any agreement with regard to any of these articles.

In the summer of 1643, while the negotiations were carried on with Scotland, the Parliament had summoned an assembly at Westminster, consisting of one hundred and twenty-one divines and thirty laymen, celebrated in their party for piety and learning. By their advice alterations were made in the Thirty-nine Articles, or in the metaphysical doctrines of the Church; and what was of greater importance, the liturgy was entirely abolished, and in its stead a new directory for worship was established, by which, suitably to the spirit of the Puritans, the utmost liberty, both in praying and preaching, was indulged to the public teachers. By the solemn league and covenant, episcopacy was abjured, as destructive of all true piety; and a national engagement, attended with every circumstance that could render a promise sacred and obligatory, was entered into with the Scots never to suffer its readmission. All these measures showed little spirit of accommodation in the Parliament; and the king's commissioners were not surprised to find the establishment of presbytery and the directory positively demanded together with the subscription of the covenant both by the king and kingdom.<sup>53</sup>

<sup>52</sup> Whitlocke, p. 121. Dugdale, p. 758.

<sup>53</sup> Such love of contradiction prevailed in the Parliament that they had converted Christmas, which with the churchmen was a great festival, into a solemn fast and humiliation, "in order," as they said, "that it might call to remembrance our sins and the sins of our forefathers, who, pretending to celebrate the memory of Christ, have turned this feast into an extreme forgetfulness of him by giving liberty to carnal and sensual delights."—Rushworth, vol. vi. p. 817. It is remarkable that as the Parliament abolished all holidays, and severely prohibited all amusement on the Sabbath, and even burned by the hands of the hangman the king's book of sports, the nation found that there was no time left for relaxation or diversion. Upon application, therefore, of the servants and apprentices, the Parliament appointed the second Tuesday of every month for play and recreation.—Rushworth, vol. vii. p. 460. Whitlocke, p. 247. But these institutions they found great difficulty to execute; and the people were resolved to be merry when they themselves pleased, not when the Parliament should prescribe it to them. The keeping of Christmas holidays was long a great mark of malignancy, and very severely censured by the Commons.—Whitlocke, p. 266. Even minced pies, which custom had made a Christmas dish among the churchmen, was regarded during that season as a profane and superstitious viand by the sectaries, though at other times it agreed very well with their stomachs. In the parliamentary ordinance, too, for the observance of the Sabbath, they inserted a clause for the taking down of May-poles, which they called a heathenish vanity. Since we are upon this subject, it may not be amiss to mention that, besides setting apart Sunday for the ordinances, as they called them, the godly had regular meetings on the Thursdays for resolving cases of conscience, and conferring about their progress in grace. What they were chiefly anxious about was the fixing the precise moment of their conversion or new birth; and whoever could not ascertain so difficult a point of calculation could not pretend to any title to saintship. The profane scholars at Oxford, after the Parliament became masters of that town, gave to the house in which the zealots assembled the denomination of *Scruple Shop*; the zealots, in their turn, insulted the scholars

Had Charles been of a disposition to neglect all theological controversy, he yet had been obliged, in good policy, to adhere to episcopal jurisdiction, not only because it was favorable to monarchy, but because all his adherents were passionately devoted to it; and to abandon them in what they regarded as so important an article was forever to relinquish their friendship and assistance. But Charles had never attained such enlarged principles. He deemed bishops essential to the very being of a Christian Church; and he thought himself bound by more sacred ties than those of policy, or even of honor, to the support of that order. His concessions, therefore, on this head he judged sufficient when he agreed that an indulgence should be given to tender consciences with regard to ceremonies; that the bishops should exercise no act of jurisdiction or ordination without the consent and counsel of such presbyters as should be chosen by the clergy of each diocese; that they should reside constantly in their diocese, and be bound to preach every Sunday; that pluralities be abolished; that abuses in ecclesiastical courts be redressed; and that a hundred thousand pounds be levied on the bishops' estates and the chapter lands for payment of debts contracted by the Parliament.<sup>54</sup> These concessions, though considerable, gave no satisfaction to the parliamentary commissioners; and, without abating anything of their rigor on this head, they proceeded to their demands with regard to the militia.

The king's partisans had all along maintained that the fears and jealousies of the Parliament, after the securities so early and easily given to public liberty, were either feigned or groundless; and that no human institution could be better poised and adjusted than was now the government of England. By the abolition of the Star-chamber and court of high commission, the prerogative, they said, has lost all that coercive power by which it had formerly suppressed or endangered liberty; by the establishment of triennial parliaments, it can have no leisure to acquire new powers, or guard itself during any time from the inspection of that vigilant assembly; by the slender revenue of the crown, no king can ever attain such influence as to procure a repeal of these salutary statutes; and while the prince commands no military force, he will in vain by violence attempt an in-

and professors; and, intruding into the place of lectures, declaimed against human learning, and challenged the most knowing of them to prove that their calling was from Christ. See Wood's *Fasti Oxonienses*, p. 740.

<sup>54</sup> Dugdale, pp. 779, 780.

fringement of laws so clearly defined by means of late disputes, and so passionately cherished by all his subjects. In this situation, surely, the nation, governed by so virtuous a monarch, may for the present remain in tranquillity, and try whether it be not possible by peaceful arts to elude that danger with which, it is pretended, its liberties are still threatened.

But though the royalists insisted on these plausible topics before the commencement of war, they were obliged to own that the progress of civil commotions had somewhat abated the force and evidence of this reasoning. If the power of the militia, said the opposite party, be intrusted to the king, it would not now be difficult for him to abuse that authority. By the rage of intestine discord, his partisans are inflamed into an extreme hatred against their antagonists; and have contracted, no doubt, some prejudices against popular privileges, which, in their apprehension, have been the source of so much disorder. Were the arms of the state, therefore, put entirely into such hands, what public security, it may be demanded, can be given to liberty, or what private security to those who, in opposition to the letter of the law, have so generously ventured their lives in its defence? In compliance with this apprehension, Charles offered that the arms of the state should be entrusted during three years to twenty commissioners, who should be named, either by common agreement between him and the Parliament, or one half by him, the other by the Parliament. And after the expiration of that term, he insisted that his constitutional authority over the militia should again return to him.<sup>55</sup>

The parliamentary commissioners at first demanded that the power of the sword should forever be intrusted to such persons as the Parliament alone should appoint;<sup>56</sup> but afterwards they relaxed so far as to require that authority only for seven years; after which it was not to return to the king, but to be settled by bill, or by common agreement between him and his Parliament.<sup>57</sup> The king's commissioners asked whether jealousies and fears were all on one side, and whether the prince, from such violent attempts and pretensions as he had experienced, had not at least as good reason to entertain apprehensions for his authority as they for their liberty; whether there were any equity in securing only one party and leaving the other during the space of seven years entirely at the mercy of their enemies; whether, if unlimited

<sup>55</sup> Dugdale, p. 798.

<sup>56</sup> Dugdale, p. 791.

<sup>57</sup> Dugdale, p. 820.



power were intrusted to the Parliament during so long a period, it would not be easy for them to frame the subsequent bill in the manner most agreeable to themselves, and keep forever possession of the sword, as well as of every article of civil power and jurisdiction.<sup>58</sup>

The truth is, after the commencement of war it was very difficult, if not impossible, to find security for both parties, especially for that of the Parliament. Amid such violent animosities, power alone could insure safety; and the power of one side was necessarily attended with danger to the other. Few or no instances occur in history of an equal, peaceful, and durable accommodation that has been concluded between two factions which had been inflamed into civil war.

With regard to Ireland, there were no greater hopes of agreement between the parties. The Parliament demanded that the truce with the rebels should be declared null; that the management of the war should be given over entirely to the Parliament; and that, after the conquest of Ireland, the nomination of the lord-lieutenant and of the judges, or, in other words, the sovereignty of that kingdom, should likewise remain in their hands.<sup>59</sup>

What rendered an accommodation more desperate was that the demands on these three heads, however exorbitant, were acknowledged by the parliamentary commissioners to be nothing but preliminaries. After all these were granted, it would be necessary to proceed to the discussion of those other demands, still more exorbitant, which a little before had been transmitted to the king at Oxford. Such ignominious terms were there insisted on that worse could scarcely be demanded were Charles totally vanquished, a prisoner, and in chains. The king was required to attain and except from a general pardon forty of the most considerable of his English subjects and nineteen of his Scottish, together with all popish recusants in both kingdoms who had borne arms for him. It was insisted that forty-eight more, with all the members who had sat in either house at Oxford, all lawyers and divines who had embraced the king's party, should be rendered incapable of any office, be forbidden the exercise of their profession, be prohibited from coming within the verge of the court, and forfeit the third of their estates to the Parliament. It was required that whoever had borne arms for the king should forfeit the tenth of their estates, or,

<sup>58</sup> Dugdale, p. 877.

<sup>59</sup> Dugdale, pp. 826, 827.

if that did not suffice, the sixth, for the payment of public debts. As if royal authority were not sufficiently annihilated by such terms, it was demanded that the court of wards should be abolished; that all the considerable officers of the crown, and all the judges, should be appointed by Parliament; and that the right of peace and war should not be exercised without the consent of that assembly.<sup>60</sup> The Presbyterians, it must be confessed, after insisting on such conditions, differed only in words from the Independents, who required the establishment of a pure republic. When the debates had been carried on to no purpose during twenty days among the commissioners, they separated, and returned; those of the king to Oxford, those of the Parliament to London.

A little before the commencement of this fruitless treaty, a deed was executed by the Parliament which proved their determined resolution to yield nothing, but to proceed in the same violent and imperious manner with which they had at first entered on these dangerous enterprises. Archbishop Laud, the most favorite minister of the king, was brought to the scaffold; and in this instance the public might see that popular assemblies, as by their very number they are in a great measure exempt from the restraint of shame, so, when they also overleap the bounds of law, naturally break out into acts of the greatest tyranny and injustice.

From the time that Laud had been committed, the House of Commons, engaged in enterprises of greater moment, had found no leisure to finish his impeachment; and he had patiently endured so long an imprisonment without being brought to any trial. After the union with Scotland, the bigoted prejudices of that nation revived the like spirit in England; and the sectaries resolved to gratify their vengeance in the punishment of this prelate, who had so long, by his authority and by the execution of penal laws, kept their zealous spirit under confinement. He was accused of high treason in endeavoring to subvert the fundamental laws, and of other high crimes and misdemeanors. The same illegality of an accumulative crime and a constructive evidence which appeared in the case of Strafford, the same violence and iniquity in conducting the trial, are conspicuous throughout the whole course of this prosecution. The groundless charge of popery, though belied by his whole life and conduct, was continually urged against the prisoner;

<sup>60</sup> Rushworth, vol. vi. p. 850 Dugdale, p. 737.

and every error rendered unpardonable by this imputation, which was supposed to imply the height of all enormities. "This man, my lords," said Sergeant Wilde, concluding his long speech against him, "is like Naaman the Syrian—a great man, but a leper."<sup>61</sup>

We shall not enter into a detail of this matter, which at present seems to admit of little controversy. It suffices to say that, after a long trial and the examination of above a hundred and fifty witnesses, the Commons found so little likelihood of obtaining a judicial sentence against Laud that they were obliged to have recourse to their legislative authority, and to pass an ordinance for taking away the life of this aged prelate. Notwithstanding the low condition into which the House of Peers was fallen, there appeared some intention of rejecting this ordinance; and the popular leaders were again obliged to apply to the multitude, and to extinguish, by threats of new tumults, the small remains of liberty possessed by the upper House. Seven peers alone voted in this important question. The rest, either from shame or fear, took care to absent themselves.<sup>62</sup>

Laud, who had behaved during his trial with spirit and vigor of genius, sank not under the horrors of his execution; but though he had usually professed himself apprehensive of a violent death, he found all his fears to be dissipated before that superior courage by which he was animated. "No one," said he, "can be more willing to send me out of life than I am desirous to go." Even upon the scaffold, and during the intervals of his prayers, he was harassed and molested by Sir John Clotworthy, a zealot of the reigning sect, and a great leader in the lower House. This was the time he chose for examining the principles of the dying prelate, and trepanning him into a confession that he trusted for his salvation to the merits of good works, not to the death of the Redeemer.<sup>63</sup> Having extricated himself from these theological toils, the archbishop laid his head on the block, and it was severed from his body at one blow.<sup>64</sup> Those religious opinions for which he suffered contributed, no doubt, to the courage and constancy of his end. Sincere he undoubtedly was, and, however misguided, actuated by pious motives in all his pursuits; and it is to be regretted that a man of such spirit, who conducted his enterprises with so much warmth and industry, had not

<sup>61</sup> Rushworth, vol. vi. p. 830.

<sup>63</sup> Rushworth, vol. vi. pp. 838, 839.

<sup>62</sup> Warwick, p. 169.

<sup>64</sup> July 12, 1644.

entertained more enlarged views, and embraced principles more favorable to the general happiness of society.

The great and important advantage which the party gained by Strafford's death may in some degree palliate the iniquity of the sentence pronounced against him. But the execution of this old, infirm prelate, who had so long remained an inoffensive prisoner, can be ascribed to nothing but vengeance and bigotry in those severe religionists by whom the Parliament was entirely governed. That he deserved a better fate was not questioned by any reasonable man; the degree of his merit, in other respects, was disputed. Some accused him of recommending slavish doctrines, of promoting persecution, and of encouraging superstition; while others thought that his conduct in these three particulars would admit of apology and extenuation.

That the *letter* of the law, as much as the most flaming court sermon, inculcates passive obedience is apparent. And though the *spirit* of a limited government seems to require, in extraordinary cases, some mitigation of so rigorous a doctrine, it must be confessed that the preceding genius of the English constitution had rendered a mistake in this particular very natural and excusable. To inflict death, at least, on those who depart from the exact line of truth in these nice questions, so far from being favorable to national liberty, savors strongly of the spirit of tyranny and proscription.

Toleration had hitherto been so little the principle of any Christian sect that even the Catholics, the remnant of the religion professed by their forefathers, could not obtain from the English the least indulgence. This very House of Commons, in their famous remonstrance, took care to justify themselves, as from the highest imputation, from any intention to relax the golden reins of discipline, as they called them, or to grant any toleration;<sup>65</sup> and the enemies of the Church were so fair from the beginning as not to lay claim to liberty of conscience, which they called a toleration for soul-murder. They openly challenged the superiority, and even menaced the Established Church with that persecution which they afterwards exercised against her with such severity. And if the question be considered in the view of policy, though a sect already formed and advanced may with good reason demand a toleration, what title had the Puritans to this indulgence, who were just on the point of

<sup>65</sup> Nalson, vol. ii. p. 705.



separation from the Church, and whom, it might be hoped, some wholesome and legal severities would still retain in obedience? <sup>66</sup>

Whatever ridicule, to a philosophical mind, may be thrown on pious ceremonies, it must be confessed that, during a very religious age, no institutions can be more advantageous to the rude multitude, and tend more to mollify that fierce and gloomy spirit of devotion to which they are subject. Even the English Church, though it had retained a share of popish ceremonies, may justly be thought too naked and unadorned, and still to approach too near the abstract and spiritual religion of the Puritans. Laud and his associates, by reviving a few primitive institutions of this nature, corrected the error of the first reformers, and presented to the affrightened and astonished mind some sensible, exterior observances which might occupy it during its religious exercises, and abate the violence of its disappointed efforts. The thought, no longer bent on that divine and mysterious essence so superior to the narrow capacities of mankind, was able, by means of the new model of devotion, to relax itself in the contemplation of pictures, postures, vestments, buildings; and all the fine arts which minister to religion thereby received additional encouragement. The primate, it is true, conducted this scheme, not with the enlarged sentiments and cool reflection of a legislator, but with the intemperate zeal of a sectary; and, by overlooking the circumstances of the times, served rather to inflame that religious fury which he meant to repress. But this blemish is more to be regarded as a general imputation on the whole age than any particular failing of Laud's; and it is sufficient for his vindication to observe that his errors were the most excusable of all those which prevailed during that zealous period.

<sup>66</sup> See note [BB] at the end of the volume.

## CHAPTER LVIII.

**MONTROSE'S VICTORIES.—THE NEW MODEL OF THE ARMY.—BATTLE OF NASEBY.—SURRENDER OF BRISTOL.—THE WEST CONQUERED BY FAIRFAX.—DEFEAT OF MONTROSE.—ECCLESIASTICAL AFFAIRS.—KING GOES TO THE SCOTS AT NEWARK.—END OF THE WAR.—KING DELIVERED UP BY THE SCOTS.**

WHILE the king's affairs declined in England, some events happened in Scotland which seemed to promise him a more prosperous issue of the quarrel.

[1645.] Before the commencement of these civil disorders, the Earl of Montrose, a young nobleman of a distinguished family, returning from his travels, had been introduced to the king, and had made an offer of his services; but by the insinuations of the Marquis, afterwards Duke, of Hamilton, who possessed much of Charles's confidence, he had not been received with that distinction to which he thought himself justly entitled.<sup>1</sup> Disgusted with this treatment, he had forwarded all the violence of the Covenanters; and, agreeably to the natural ardor of his genius, he had employed himself during the first Scottish insurrection with great zeal as well as success in levying and conducting their armies. Being commissioned by the *Tables* to wait upon the king while the royal army lay at Berwick, he was so gained by the civilities and caresses of that monarch that he thenceforth devoted himself entirely, though secretly, to his service, and entered into a close correspondence with him. In the second insurrection, a great military command was intrusted to him by the Covenanters; and he was the first that passed the Tweed, at the head of their troops, in the invasion of England. He found means, however, soon after to convey a letter to the king; and by the infidelity of some about that prince (Hamilton, as was suspected), a copy of this letter was sent to Leven, the Scottish general. Being accused of treachery and a correspondence with the enemy, Montrose openly avowed the letter, and asked the generals

<sup>1</sup> Nalson, Intr. p. 63.

if they dared to call their sovereign an enemy; and by his bold and magnanimous behavior he escaped the danger of an immediate prosecution. As he was now fully known to be of the royal party, he no longer concealed his principles; and he endeavored to draw those who had entertained like sentiments into a bond of association for his master's service. Though thrown into prison for this enterprise,<sup>2</sup> and detained some time, he was not discouraged, but still continued, by his countenance and protection, to infuse spirit into the distressed royalists. Among other persons of distinction who united themselves to him was Lord Napier, of Merchiston, son of the famous inventor of the logarithms, the person to whom the title of *great man* is more justly due than to any other whom his country ever produced.

There was in Scotland another party who, professing equal attachment to the king's service, pretended only to differ with Montrose about the means of attaining the same end; and of that party Duke Hamilton was the leader. This nobleman had cause to be extremely devoted to the king, not only by reason of the connection of blood, which united him to the royal family, but on account of the great confidence and favor with which he had ever been honored by his master. Being accused by Lord Rae, not without some appearance of probability, of a conspiracy against the king, Charles was so far from harboring suspicion against him that the very first time Hamilton came to court he received him into his bedchamber, and passed alone the night with him.<sup>3</sup> But such was the duke's unhappy fate or conduct that he escaped not the imputation of treachery to his friend and sovereign; and though he at last sacrificed his life in the king's service, his integrity and sincerity have not been thought by historians entirely free from blemish. Perhaps (and this is the more probable opinion) the subtleties and refinements of his conduct and his temporizing maxims, though accompanied with good intentions, have been the chief cause of a suspicion which has never yet been either fully proved or refuted. As much as the bold and vivid spirit of Montrose prompted him to enterprising measures, as much was the cautious temper of Hamilton inclined to such as were moderate and dilatory.

<sup>2</sup> It is not improper to take notice of a mistake committed by Clarendon, much to the disadvantage of this gallant nobleman—that he offered the king, when his majesty was in Scotland, to assassinate Argyle. All the time the king was in Scotland, Montrose was confined to prison.—Rushworth, vol. vi. p. 980.

<sup>3</sup> Nalson, vol. ii. p. 683.

While the former foretold that the Scottish Covenanters were secretly forming a union with the English Parliament, and inculcated the necessity of preventing them by some vigorous undertaking, the latter still insisted that every such attempt would precipitate them into measures to which, otherwise, they were not, perhaps, inclined. After the Scottish convention was summoned, without the king's authority, the former exclaimed that their intentions were now visible, and that, if some unexpected blow were not struck to dissipate them, they would arm the whole nation against the king; the latter maintained the possibility of outvoting the disaffected party, and securing by peaceful means the allegiance of the kingdom.<sup>4</sup> Unhappily for the royal cause, Hamilton's representations met with more credit from the king and queen than those of Montrose; and the Covenanters were allowed, without interruption, to proceed in all their hostile measures. Montrose then hastened to Oxford, where his invectives against Hamilton's treachery, concurring with the general prepossession, and supported by the unfortunate event of his counsels, were entertained with universal approbation. Influenced by the clamor of his party more than his own suspicions, Charles, as soon as Hamilton appeared, sent him prisoner to Pendennis Castle, in Cornwall. His brother, Laneric, who was also put under confinement, found means to make his escape and fly into Scotland.

The king's ears were now opened to Montrose's counsels, who proposed none but the boldest and most daring, agreeably to the desperate state of the royal cause in Scotland. Though the whole nation was subjected by the Covenanters, though great armies were kept on foot by them, and every place guarded by a vigilant administration, he undertook, by his own credit and that of the few friends who remained to the king, to raise such commotions as would soon oblige the malcontents to recall those forces which had so sensibly thrown the balance in favor of the Parliament.<sup>5</sup> Not discouraged with the defeat at Marston Moor, which rendered it impossible for him to draw any succor from England, he was content to stipulate with the Earl of Antrim, a nobleman of Ireland, for some supply of men from that country. And he himself, changing his disguises and passing through many dangers, arrived in Scot-

<sup>4</sup> Clarendon, vol. iii. pp. 380, 381. Rushworth, vol. vi. p. 980. Wishart, cap. 2.

<sup>5</sup> Wishart, cap. 3.



land, where he lay concealed in the borders of the Highlands, and secretly prepared the minds of his partisans for attempting some great enterprise.<sup>6</sup>

No sooner were the Irish landed, though not exceeding eleven hundred foot, very ill armed, than Montrose declared himself, and entered upon that scene of action which has rendered his name so celebrated. About eight hundred of the men of Athole flocked to his standard. Five hundred men more, who had been levied by the Covenanters, were persuaded to embrace the royal cause; and with this combined force he hastened to attack Lord Elcho, who lay at Perth with an army of six thousand men, assembled upon the first news of the Irish invasion. Montrose, inferior in number, totally unprovided with horse, ill supplied with arms and ammunition, had nothing to depend on but the courage which he himself, by his own example and the rapidity of his enterprises, should inspire into his raw soldiers. Having received the fire of the enemy, which was chiefly answered by a volley of stones, he rushed amid them with his sword drawn, threw them into confusion, pushed his advantage, and obtained a complete victory, with the slaughter of two thousand of the Covenanters.<sup>7</sup>

This victory, though it augmented the renown of Montrose, increased not his power or numbers. The far greater part of the kingdom was extremely attached to the covenant, and such as bore an affection to the royal cause were terrified by the established authority of the opposite party. Dreading the superior power of Argyle, who, having joined his vassals to a force levied by the public, was approaching with a considerable army, Montrose hastened northwards, in order to rouse again the Marquis of Huntley and the Gordons, who, having before hastily taken arms, had been instantly suppressed by the Covenanters. He was joined on his march by the Earl of Airly, with his two younger sons, Sir Thomas and Sir David Ogilvy—the eldest was at that time prisoner with the enemy. He attacked at Aberdeen the Lord Burley, who commanded a force of two thousand five hundred men. After a sharp combat, by his undaunted courage, which in his situation was true policy, and was also not unaccompanied with military skill, he put the enemy to flight, and in the pursuit did great execution upon them.<sup>8</sup>

<sup>6</sup> Clarendon, vol. v. p. 618. Rushworth, vol. vi. p. 982. Wishart, cap. 4.

<sup>7</sup> September 1, 1644. Rushworth, vol. vi. p. 983. Wishart, cap. 5.

<sup>8</sup> September 11, 1644. Rushworth, vol. vi. p. 983. Wishart, cap. 7.

But by this second advantage he obtained not the end which he expected. The envious nature of Huntley, jealous of Montrose's glory, rendered him averse to join an army where he himself must be so much eclipsed by the superior merit of the general. Argyle, reinforced by the Earl of Lothian, was behind him with a great army; the militia of the northern counties, Murray, Ross, Caithness, to the number of five thousand men, opposed him in front, and guarded the banks of the Spey, a deep and rapid river. In order to elude these numerous armies, he turned aside into the hills, and saved his weak but active troops in Badenoch. After some marches and counter-marches, Argyle came up with him at Faivy Castle. This nobleman's character, though celebrated for political courage and conduct, was very low for military prowess; and after some skirmishes, in which he was worsted, he here allowed Montrose to escape him. By quick marches through these inaccessible mountains, that general freed himself from the superior forces of the Covenanters.

Such was the situation of Montrose that very good or very ill fortune was equally destructive to him, and diminished his army. After every victory, his soldiers, greedy of spoil, but deeming the smallest acquisition to be unexhausted riches, deserted in great numbers, and went home to secure the treasure which they had acquired. Tired too, and spent with hasty and long marches in the depth of winter, through snowy mountains, unprovided with every necessary, they fell off, and left their general almost alone with the Irish, who, having no place to which they could retire, still adhered to him in every fortune.

With these and some reinforcements of the Athole men and Macdonalds, whom he had recalled, Montrose fell suddenly upon Argyle's country, and let loose upon it all the rage of war, carrying off the cattle, burning the houses, and putting the inhabitants to the sword. This severity by which Montrose sullied his victories was the result of private animosity against the chieftain as much as of zeal for the public cause. Argyle, collecting three thousand men, marched in quest of the enemy, who had retired with their plunder; and he lay at Innerlochy, supposing himself still at a considerable distance from them. The Earl of Seaforth, at the head of the garrison of Inverness, who were veteran soldiers, joined to five thousand new-levied troops of the northern counties, pressed the royalists on the other side,

and threatened them with inevitable destruction. By a quick and unexpected March, Montrose hastened to Inner-lochy, and presented himself in order of battle before the surprised but not affrightened Covenanters. Argyle alone, seized with a panic, deserted his army, who still maintained their ground, and gave battle to the royalists. After a vigorous resistance, they were defeated and pursued with great slaughter.<sup>9</sup> And the power of the Campbells—that is, Argyle's name—being thus broken, the Highlanders, who were in general well affected to the royal cause, began to join Montrose's camp in great numbers. Seaforth's army dispersed of itself, at the very terror of his name; and Lord Gordon, eldest son of Huntley, having escaped from his uncle Argyle, who had hitherto detained him, now joined Montrose, with no contemptible number of his followers, attended by his brother, the Earl of Aboine.

The council at Edinburgh, alarmed at Montrose's progress, began to think of a more regular plan of defence against an enemy whose repeated victories had rendered him extremely formidable. They sent for Baillie, an officer of reputation from England; and joining him in command with Urrey, who had again enlisted himself among the king's enemies, they sent them to the field with a considerable army against the royalists. Montrose, with a detachment of eight hundred men, had attacked Dundee, a town extremely zealous for the covenant, and having carried it by assault, had delivered it up to be plundered by his soldiers; when Baillie and Urrey, with their whole force, were unexpectedly upon him.<sup>10</sup> His conduct and presence of mind in this emergency appeared conspicuous. Instantly he called off his soldiers from plunder, put them in order, secured his retreat by the most skilful measures; and having marched sixty miles in the face of an enemy much superior, without stopping or allowing his soldiers the least sleep or refreshment, he at last secured himself in the mountains.

Baillie and Urrey now divided their troops, in order the better to conduct the war against an enemy who surprised them as much by the rapidity of his marches as by the boldness of his enterprises. Urrey, at the head of four thousand men, met him at Alderne, near Inverness; and encouraged by the superiority of number (for the Covenanters were double the royalists), attacked him in the post which

<sup>9</sup> Rushworth, vol. vi. p. 985. Wishart, cap. 8.

<sup>10</sup> Rushworth, vol. vii. p. 228. Wishart, cap. 9.

he had chosen. Montrose, having placed his right wing in strong ground, drew the best of his forces to the other, and left no main body between them—a defect which he artfully concealed by showing a few men through the trees and bushes with which the ground was covered. That Urrey might have no leisure to perceive the stratagem, he instantly led his left wing to the charge; and making a furious impression upon the Covenanters, drove them off the field, and gained a complete victory.<sup>11</sup> In this battle the valor of young Napier, son to the lord of that name, shone out with signal lustre.

Baillie now advanced in order to revenge Urrey's discomfiture; but at Alford he met, himself, with a like fate.<sup>12</sup> Montrose, weak in cavalry, here lined his troops of horse with infantry; and after putting the enemy's horse to rout, fell with united force upon their foot, who were entirely cut in pieces, though with the loss of the gallant Lord Gordon on the part of the royalists.<sup>13</sup> And having thus prevailed in so many battles which his vigor ever rendered as decisive as they were successful, he summoned together all his friends and partisans, and prepared himself for marching into the southern provinces, in order to put a final period to the power of the Covenanters, and dissipate the Parliament which, with great pomp and solemnity, they had summoned to meet at St. Johnstone's.

While the fire was thus kindled in the north of the island, it blazed out with no less fury in the south. The parliamentary and royal armies, as soon as the season would permit, prepared to take the field, in hopes of bringing their important quarrel to a quick decision. The passing of the self-denying ordinance had been protracted by so many debates and intrigues that the spring was far advanced before it received the sanction of both Houses; and it was thought dangerous by many to introduce, so near the time of action, such great innovations into the army. Had not the punctilious principles of Essex engaged him, amid all the disgusts which he received, to pay implicit obedience to the Parliament, this alteration had not been effected without some fatal accident, since, notwithstanding his prompt resignation of the command, a mutiny was generally apprehended.<sup>14</sup> Fairfax, or, more properly speaking, Cromwell,

<sup>11</sup> Rushworth, vol. vii. p. 229. Wishart, cap. 10.

<sup>12</sup> Rushworth, vol. vii. p. 229. Wishart, cap. 11.

<sup>14</sup> Rushworth, vol. vii. pp. 126, 127.

<sup>13</sup> July 2.



under his name, introduced at last the *new model* into the army, and threw the troops into a different shape. From the same men, new regiments and new companies were formed, different officers appointed, and the whole military force put into such hands as the Independents could rely on. Besides members of Parliament who were excluded, many officers, unwilling to serve under the new generals, threw up their commissions, and unwarily facilitated the project of putting the army entirely into the hands of that faction.

Though the discipline of the former parliamentary army was not contemptible, a more exact plan was introduced and rigorously executed by these new commanders. Valor indeed was very generally diffused over the one party as well as the other during this period ; discipline also was attained by the forces of the Parliament ; but the perfection of the military art in concerting the general plans of action and the operations of the field seems still, on both sides, to have been in a great measure wanting. Historians, at least, perhaps from their own ignorance and inexperience, have not remarked anything but a headlong, impetuous conduct ; each party hurrying to a battle, where valor and fortune chiefly determined the success. The great ornament of history during these reigns, are the civil, not the military transactions.

Never, surely, was a more singular army assembled than that which was now set on foot by the Parliament. To the greater number of the regiments chaplains were not appointed. The officers assumed the spiritual duty, and united it with their military functions. During the intervals of action, they occupied themselves with sermons, prayers, exhortations ; and the same emulation there attended them which in the field is so necessary to support the honor of that profession. Rapturous ecstasies supplied the place of study and reflection ; and while the zealous devotees poured out their thoughts in unpremeditated harangues, they mistook that eloquence which, to their own surprise as well as that of others, flowed in upon them for divine illuminations and for illapses of the Holy Spirit. Wherever they were quartered, they excluded the minister from his pulpit ; and, usurping his place, conveyed their sentiments to the audience with all the authority which followed their power, their valor, and their military exploits, united to their appearing zeal and fervor. The private soldiers, seized with

the same spirit, employed their vacant hours in prayer, in perusing the Holy Scriptures, in ghostly conferences, where they compared the progress of their souls in grace, and mutually stimulated each other to further advances in the great work of their salvation. When they were marching to battle, the whole field resounded as well with psalms and spiritual songs adapted to the occasion as with the instruments of military music ;<sup>15</sup> and every man endeavored to drown the sense of present danger in the prospect of that crown of glory which was set before him. In so holy a cause, wounds were esteemed meritorious ; death, martyrdom ; and the hurry and dangers of action, instead of banishing their pious visions, rather served to impress their minds more strongly with them.

The royalists were desirous of throwing a ridicule on this fanaticism of the parliamentary armies without being sensible how much reason they had to apprehend its dangerous consequences. The forces assembled by the king at Oxford in the west, and in other places, were equal, if not superior, in number to their adversaries, but actuated by a very different spirit. That license which had been introduced by want to pay had risen to a great height among them, and rendered them more formidable to their friends than to their enemies. Prince Rupert, negligent of the people, fond of the soldiery, had indulged the troops in unwarrantable liberties. Wilmot, a man of dissolute manners, had promoted the same spirit of disorder ; and the licentious Goring, Gerrard, Sir Richard Granville, now carried it to a great pitch of enormity. In the west especially, where Goring commanded, universal spoil and havoc were committed ; and the whole country was laid waste by the rapine of the army. All distinction of parties being in a manner dropped, the most devoted friends of the Church and monarchy wished there for such success to the parliamentary forces as might put an end to these oppressions. The country people, despoiled of their substance, flocked together in several places, armed with clubs and staves ; and, though they professed an enmity to the soldiers of both parties, their hatred was in most places levelled chiefly against the royalists, from whom they had met with the worst treatment. Many thousands of these tumultuary peasants were assembled in different parts of England, who

<sup>15</sup> Dugdale, p. 7   Rushworth vol. vi p. 281.

destroyed all such straggling soldiers as they met with, and much infested the armies.<sup>16</sup>

The disposition of the forces on both sides was as follows: part of the Scottish army was employed in taking Pomfret and other towns in Yorkshire; part of it besieged Carlisle, valiantly defended by Sir Thomas Glenham. Chester, where Biron commanded, had long been blockaded by Sir William Brereton, and was reduced to great difficulties. The king, being joined by the Princes Rupert and Maurice, lay at Oxford with a considerable army, about fifteen thousand men. Fairfax and Cromwell were posted at Windsor with the new-modelled army, about twenty-two thousand men. Taunton, in the county of Somerset, defended by Blake, suffered a long siege from Sir Richard Granville, who commanded an army of about eight thousand men; and, though the defence had been obstinate, the garrison was now reduced to the last extremity. Goring commanded, in the west, an army of nearly the same number.<sup>17</sup>

On opening the campaign, the king formed the project of relieving Chester; Fairfax, that of relieving Taunton. The king was first in motion. When he advanced to Draiton, in Shropshire, Biron met him, and brought intelligence that his approach had raised the siege, and that the parliamentary army had withdrawn. Fairfax, having reached Salisbury in his road westward, received orders from the committee of both kingdoms, appointed for the management of the war, to return and lay siege to Oxford, now exposed by the king's absence. He obeyed, after sending Colonel Weldon to the west with a detachment of four thousand men. On Weldon's approach, Granville, who imagined that Fairfax with his whole army was upon him, raised the siege and allowed this pertinacious town, now half taken and half burned, to receive relief; but the royalists being reinforced with three thousand horse under Goring, again advanced to Taunton and shut up Weldon, with his small army, in that ruinous place.<sup>18</sup>

The king, having effected his purpose with regard to Chester, returned southwards; and in his way sat down before Leicester, a garrison of the Parliament's. Having made a breach in the wall, he stormed the town on all sides; and after a furious assault, the soldiers entered

<sup>16</sup> Rushworth, vol. vii. pp. 52, 61, 62. Whitlocke, pp. 130, 131, 133, 135. Clarendon, vol. v. p. 665.

<sup>17</sup> Rushworth, vol. vii. pp. 18, 19, etc.

<sup>18</sup> Rushworth, vol. vii. p. 28

sword in hand, and committed all those disorders to which their natural violence, especially when inflamed by resistance, is so much addicted.<sup>19</sup> A great booty was taken and distributed among them; fifteen hundred prisoners fell into the king's hands. This success, which struck a great terror into the parliamentary party, determined Fairfax to leave Oxford, which he was beginning to approach; and he marched towards the king with an intention of offering him battle. The king was advancing towards Oxford, in order to raise the siege, which he apprehended was now begun; and both armies, ere they were aware, had advanced within six miles of each other. A council of war was called by the king in order to deliberate concerning the measures which he should now pursue. On the one hand, it seemed more prudent to delay the combat, because Gerrard, who lay in Wales with three thousand men, might be enabled, in a little time, to join the army; and Goring, it was hoped, would soon be master of Taunton; and having put the west in full security, would then unite his forces to those of the king, and give him an incontestable superiority over the enemy. On the other hand, Prince Rupert, whose boiling ardor still pushed him on to battle, excited the impatient humor of the nobility and gentry, of which the army was full, and urged the many difficulties under which the royalists labored, and from which nothing but a victory could relieve them. The resolution was taken to give battle to Fairfax, and the royal army immediately advanced upon him.

At Naseby was fought, with forces nearly equal, this decisive and well-disputed action between the king and Parliament. The main body of the royalists was commanded by the king himself; the right wing by Prince Rupert; the left by Sir Marmaduke Langdale. Fairfax, seconded by Skippon, placed himself in the main body of the opposite army; Cromwell in the right wing; Ireton, Cromwell's son-in-law, in the left. The charge was begun, with his usual celerity and usual success, by Prince Rupert. Though Ireton made stout resistance, and, even after he was run through the thigh with a pike, still maintained the combat till he was taken prisoner, yet was that whole wing broken and pursued with precipitate fury by Rupert. He was even so inconsiderate as to lose time in summoning and attacking the artillery of the enemy, which had been left

<sup>19</sup> Clarendon, vol. v. p. 652.



with a good guard of infantry. The king led on his main body, and displayed in this action all the conduct of a prudent general, and all the valor of a stout soldier.<sup>20</sup> Fairfax and Skippon encountered him, and well supported that reputation which they had acquired. Skippon being dangerously wounded, was desired by Fairfax to leave the field; but he declared that he would remain there as long as one man maintained his ground.<sup>21</sup> The infantry of the Parliament was broken, and pressed upon by the king, till Fairfax, with great presence of mind, brought up the reserve and renewed the combat. Meanwhile, Cromwell, having led on his troops to the attack of Langdale, overbore the force of the royalists, and by his prudence improved that advantage which he had gained by his valor. Having pursued the enemy about a quarter of a mile, and detached some troops to prevent their rallying, he turned back upon the king's infantry and threw them into the utmost confusion. One regiment alone preserved its order unbroken, though twice desperately assailed by Fairfax; and that general, excited by so steady a resistance, ordered Doyley, the captain of his lifeguard, to give them a third charge in front, while he himself attacked them in rear. The regiment was broken. Fairfax, with his own hands, killed an ensign, and, having seized the colors, gave them to a soldier to keep for him. The soldier, afterwards boasting that he had won this trophy, was reproved by Doyley, who had seen the action: "Let him retain that honor," said Fairfax; "I have to-day acquired enough besides."<sup>22</sup>

Prince Rupert, sensible too late of his error, left the fruitless attack on the enemy's artillery and joined the king, whose infantry was now totally discomfited. Charles exhorted this body of cavalry not to despair, and cried aloud to them, "One charge more and we recover the day!"<sup>23</sup> But the disadvantages under which they labored were too evident, and they could by no means be induced to renew the combat. Charles was obliged to quit the field and leave the victory to the enemy.<sup>24</sup> The slain on the side of the Parliament exceeded those on the side of the king. They lost a thousand men; he not above eight hundred; but Fairfax made five hundred officers prisoners, and four thousand private men, took all the king's artillery and

<sup>20</sup> Whitlocke, p. 146.

<sup>21</sup> Rushworth, vol. vii. p. 43. Whitlocke, p. 145.

<sup>22</sup> Whitlocke, p. 145.

<sup>23</sup> Rushworth, vol. vii. p. 44.

<sup>24</sup> Clarendon, vol. iv. pp. 656, 657. Walker, pp. 130, 131.

ammunition, and totally dissipated his infantry, so that scarce any victory could be more complete than that which he obtained.

Among the other spoils was seized the king's cabinet, with the copies of his letters to the queen, which the Parliament afterwards ordered to be published.<sup>25</sup> They chose, no doubt, such of them as they thought would reflect dishonor on him; yet, upon the whole, the letters are written with delicacy and tenderness, and give an advantageous idea both of the king's genius and morals. A mighty fondness, it is true, and attachment he expresses to his consort, and often professes that he never would embrace any measures which she disapproved; but such declarations of civility and confidence are not always to be taken in a full literal sense. And so legitimate an affection, avowed by the laws of God and man, may perhaps be excusable towards a woman of beauty and spirit, even though she was a Papist.<sup>26</sup>

The Athenians, having intercepted a letter written by their enemy, Philip of Macedon, to his wife Olympia, so far from being moved by a curiosity of prying into the secrets of that relation, immediately sent the letter to the queen unopened. Philip was not their sovereign, nor were they inflamed with that violent animosity against him which attends all civil commotions.

After the battle, the king retreated with that body of horse which remained entire, first to Hereford, then to Abergavenny, and remained some time in Wales, from the vain hope of raising a body of infantry in those harassed and exhausted quarters. Fairfax, having first retaken Leicester, which was surrendered upon articles, began to deliberate concerning his future enterprises. A letter was brought him written by Goring to the king, and unfortunately intrusted to a spy of Fairfax's. Goring there informed the king that in three weeks he hoped to be master of Taunton, after which he would join his majesty with all the forces in the west; and entreated him, in the mean-

<sup>25</sup> Clarendon, vol. iv. p. 658.

<sup>26</sup> Hearne has published the following extract from a manuscript work of Sir Simon D'Ewes, who was no mean man in the parliamentary party: "On Thursday, the 30th and last day of this instant, June, 1625, I went to Whitehall, purposely to see the queen, which I did fully all the time she sat at dinner. I perceiv'd her to be a most absolute delicate lady, after I had exactly survey'd all the features of her face, much enlivened by her radiant and sparkling black eyes. Besides, her deportment among her women was so sweet and humble, and her speech and looks to her other servants so mild and gracious, as I could not abstain from divers deep-fetched sighs, to consider that she wanted the knowledge of the true religion." See Preface to the Chronicle of Dunstable, p. 64.

while, to avoid coming to any general action. This letter, which, had it been safely delivered, had probably prevented the battle of Naseby, served now to direct the operations of Fairfax.<sup>27</sup> After leaving a body of three thousand men to Pointz and Rossiter, with orders to attend the king's motions, he marched immediately to the west, with a view of saving Taunton and suppressing the only considerable force which now remained to the royalists.

In the beginning of the campaign, Charles, apprehensive of the event, had sent the Prince of Wales, then fifteen years of age, to the west, with the title of general, and had given orders, if he were pressed by the enemy, that he should make his escape into a foreign country and save one part of the royal family from the violence of the Parliament. Prince Rupert had thrown himself into Bristol with an intention of defending that important city. Goring commanded the army before Taunton.

On Fairfax's approach the siege of Taunton was raised; and the royalists retired to Lamport, an open town in the county of Somerset. Fairfax attacked them in that post, beat them from it, killed about three hundred men, and took one thousand four hundred prisoners.<sup>28</sup> After this advantage he sat down before Bridgewater, a town esteemed strong and of great consequence in that country. When he had entered the outer town by storm, Wyndham, the governor, who had retired into the inner, immediately capitulated and delivered up the place to Fairfax. The garrison, to the number of two thousand six hundred men, were made prisoners of war.

Fairfax, having next taken Bath and Sherborne, resolved to lay siege to Bristol, and made great preparations for an enterprise which from the strength of the garrison and the reputation of Prince Rupert the governor, was deemed of the last importance. But, so precarious in most men is this quality of military courage, a poorer defence was not made by any town during the whole war; and the general expectations were here extremely disappointed. No sooner had the parliamentary forces entered the lines by storm than the prince capitulated, and surrendered the city to Fairfax.<sup>29</sup> A few days before, he had written a letter to the king, in which he undertook to defend the place for four months, if no mutiny obliged him to surrender it. Charles, who was

<sup>27</sup> Rushworth, vol. vii. p. 49.

<sup>28</sup> Rushworth, vol. vii. p. 55.

<sup>29</sup> Rushworth, vol. vii. p. 83.

forming schemes, and collecting forces for the relief of Bristol, was astonished at so unexpected an event, which was little less fatal to his cause than the defeat at Naseby.<sup>30</sup> Full of indignation, he instantly recalled all Prince Rupert's commissions and sent him a pass to go beyond sea.<sup>31</sup>

The king's affairs now went fast to ruin in all quarters. The Scots, having made themselves masters of Carlisle,<sup>32</sup> after an obstinate siege marched southwards and laid siege to Hereford, but were obliged to raise it on the king's approach; and this was the last glimpse of success which attended his arms. Having marched to the relief of Chester, which was anew besieged by the parliamentary forces under Colonel Jones, Pointz attacked his rear and forced him to give battle. While the fight was continued with great obstinacy, and victory seemed to incline to the royalists, Jones fell upon them from the other side and put them to rout, with the loss of six hundred slain and one thousand prisoners.<sup>33</sup> The king, with the remains of his broken army, fled to Newark and thence escaped to Oxford, where he shut himself up during the winter season.

The news which he received from every quarter was no less fatal than those events which passed where he himself was present. Fairfax and Cromwell, after the surrender of Bristol, having divided their forces, the former marched westwards in order to complete the conquest of Devonshire and Cornwall; the latter attacked the king's garrisons which lay to the east of Bristol. The Devizes were surrendered to Cromwell; Berkeley Castle was taken by storm; Winchester capitulated; Basing House was entered sword in hand; and all these middle counties of England were in a little time reduced to obedience under the Parliament.

[1646.] The same rapid and uninterrupted success attended Fairfax. The parliamentary forces, elated by past victories, governed by the most rigid discipline, met with no equal opposition from troops dismayed by repeated defeats and corrupted by licentious manners. After beating up the quarters of the royalists at Bovey-Tracey, Fairfax sat down before Dartmouth, and in a few days entered it by storm. Poudram Castle being taken by him and Exeter blockaded on all sides, Hopton, a man of merit, who now commanded the royalists, having advanced to the relief of

<sup>30</sup> Clarendon, vol. iv. p. 690. Walker, p. 137.

<sup>32</sup> June 28.

<sup>31</sup> Clarendon, vol. iv. p. 695.

<sup>33</sup> Rushworth, vol. vii. p. 117.



that town with an army of eight thousand men, met with the parliamentary army at Torrington, where he was defeated, all his foot dispersed, and he himself, with his horse, obliged to retire into Cornwall. Fairfax followed him and vigorously pursued the victory. Having enclosed the royalists at Truro, he forced the whole army, consisting of five thousand men, chiefly cavalry, to surrender upon terms. The soldiers, delivering up their horses and arms, were allowed to disband, and received twenty shillings apiece to carry them to their respective abodes. Such of the officers as desired it had passes to retire beyond sea; the others, having promised never more to bear arms, paid compositions to the Parliament<sup>34</sup> and procured their pardon.<sup>35</sup> And thus Fairfax, after taking Exeter, which completed the conquest of the west, marched with his victorious army to the centre of the kingdom and fixed his camp at Newbury. The Prince of Wales, in pursuance of the king's orders, retired to Scilly, thence to Jersey, whence he went to Paris, where he joined the queen, who had fled thither from Exeter at the time the Earl of Essex conducted the parliamentary army to the west.

In the other parts of England, Hereford was taken by surprise. Chester surrendered. Lord Digby, who had attempted with one thousand two hundred horse to break into Scotland and join Montrose, was defeated at Sherburn, in Yorkshire, by Colonel Copley; his whole force was dispersed, and he himself was obliged to fly, first to the Isle of Man, thence to Ireland. News, too, arrived that Montrose himself, after some more successes, was at last routed, and this only remaining hope of the royal party finally extinguished.

When Montrose descended into the southern counties, the Covenanters, assembling their whole force, met him with a numerous army and gave him battle, but without success, at Kilsyth.<sup>36</sup> This was the most complete victory that Montrose ever obtained. The royalists put to the sword six thousand of their enemies, and left the Covenanters no remains of any army in Scotland. The whole kingdom was shaken with these repeated successes of Montrose; and many noblemen who secretly favored the royal cause

<sup>34</sup> These compositions were different, according to the demerits of the person; but by a vote of the House they could not be under two years' rent of the delinquent's estate.—*Journal*, August 11, 1648. Whitlocke, p. 160.

<sup>35</sup> Rushworth, vol. v. ii. p. 108.

<sup>36</sup> August 15, 1645.

now declared openly for it when they saw a force able to support them. The Marquis of Douglas, the Earls of Anandale and Hartfield, the Lords Fleming, Seton, Maderty, Carnegy, with many others, flocked to the royal standard. Edinburgh opened its gates and gave liberty to all the prisoners there detained by the Covenanters. Among the rest was Lord Ogilvy, son of Airly, whose family had contributed extremely to the victory gained at Kilsyth.<sup>37</sup>

David Lesley was detached from the army in England, and marched to the relief of his distressed party in Scotland. Montrose advanced still farther to the south, allured by vain hopes both of rousing to arms the Earls of Hume, Traquair, and Roxburgh, who had promised to join him, and of obtaining from England some supply of cavalry, in which he was deficient. By the negligence of his scouts, Lesley, at Philiphaugh in the Forest, surprised his army, much diminished in numbers, from the desertion of the Highlanders, who had retired to the hills, according to custom, in order to secure their plunder. After a sharp conflict, where Montrose exerted great valor, his forces were routed by Lesley's cavalry;<sup>38</sup> and he himself was obliged to fly with his broken forces into the mountains, where he again prepared himself for new battles and new enterprises.<sup>39</sup>

The Covenanters used the victory with vigor. Their prisoners, Sir Robert Spotswood (secretary of state, and son to the late primate), Sir Philip Nisbet, Sir William Rollo, Colonel Nathaniel Gordon, Andrew Guthry (son of the Bishop of Murray), William Murray (son of the Earl of Tullibardine), were condemned and executed. The sole crime imputed to the secretary was his delivering to Montrose the king's commission to be captain-general of Scotland. Lord Ogilvy, who was again taken prisoner, would have undergone the same fate, had not his sister found means to procure his escape by changing clothes with him. For this instance of courage and dexterity she met with harsh usage. The clergy solicited the Parliament that more royalists might be executed, but could not obtain their request.<sup>40</sup>

After all these repeated disasters which everywhere befell the royal party, there remained only one body of troops on which fortune could exercise her rigor. Lord Astley,

<sup>37</sup> Rushworth, vol. vii. pp. 230, 231. Wishart, cap. 13.

<sup>38</sup> September 13, 1645.

<sup>39</sup> Rushworth, vol. vii. p. 231.

<sup>40</sup> Guthry's Memoirs. Rushworth, vol. vii. p. 232.

with a small army of three thousand men, chiefly cavalry, marching to Oxford in order to join the king, was met at Stowe by Colonel Morgan and entirely defeated, himself being taken prisoner. "You have done your work," said Astley to the parliamentary officers, "and may now go to play, unless you choose to fall out among yourselves."<sup>40</sup>

The condition of the king during this whole winter was to the last degree disastrous and melancholy. As the dread of ills is commonly more oppressive than their real presence, perhaps in no period of his life was he more justly the object of compassion. His vigor of mind, which, though it sometimes failed him in acting, never deserted him in his sufferings, was what alone supported him; and he was determined, as he wrote to Lord Digby, if he could not live as a king, to die like a gentleman; nor should any of his friends, he said, ever have reason to blush for the prince whom they had so unfortunately served.<sup>42</sup> The murmurs of discontented officers, on the one hand, harassed their unhappy sovereign, while they overrated those services and sufferings which they now saw must forever go unrewarded.<sup>43</sup> The affectionate duty, on the other hand, of his more generous friends, who respected his misfortunes and his virtues as much as his dignity, wrung his heart with a new sorrow, when he reflected that such disinterested attachment would so soon be exposed to the rigor of his implacable enemies. Repeated attempts which he made for a peaceful and equitable accommodation with the Parliament served to no purpose but to convince them that the victory was entirely in their hands. They deigned not to make the least reply to several of his messages, in which he desired a passport for commissioners.<sup>44</sup> At last, after reproaching him with the blood spilled during the war, they told him that they were preparing bills for him, and his passing them would be the best pledge of his inclination towards peace; in other words, he must yield at discretion.<sup>45</sup> He desired a personal treaty, and offered to come to London upon receiving a safe-conduct for himself and his attendants; they absolutely refused him admittance, and issued orders for the

<sup>41</sup> Rushworth, vol. vii. p. 141. It was the same Astley who, before he charged at the battle of Edgehill, made this short prayer: "O Lord! thou knowest how busy I must be this day. If I forget thee, do not thou forget me." And, with that, rose up, and cried, "March on, boys!"—Warwick, p. 229. There were certainly much longer prayers said in the parliamentary army, but I doubt if there were so good a one.

<sup>42</sup> Carte's Ormond, vol. iii. No. 433.

<sup>43</sup> Walker, p. 147.

<sup>44</sup> Rushworth, vol. vii. p. 215, etc.

<sup>45</sup> Rushworth, vol. vii. pp. 217, 219. Clarendon, vol. iv. p. 744.

guarding, that is, the seizing, of his person in case he should attempt to visit them.<sup>46</sup> A new incident which happened in Ireland served to inflame the minds of men and to increase those calumnies with which his enemies had so much loaded him and which he ever regarded as the most grievous part of his misfortunes.

After the cessation with the Irish rebels, the king was desirous of concluding a final peace with them and obtaining their assistance in England; and he gave authority to Ormond, lord-lieutenant, to promise them an abrogation of all the penal laws enacted against Catholics, together with the suspension of Poining's statute with regard to some particular bills which should be agreed on. Lord Herbert, created Earl of Glamorgan (though his patent had not yet passed the seals), having occasion for his private affairs to go to Ireland, the king considered that this nobleman, being a Catholic, and allied to the best Irish families, might be of service. He also foresaw that further concession with regard to religion might probably be demanded by the bigoted Irish; and that as these concessions, however necessary, would give great scandal to the Protestant zealots in his three kingdoms, it would be requisite both to conceal them during some time, and to preserve Ormond's character by giving private orders to Glamorgan to conclude and sign these articles. But as he had a better opinion of Glamorgan's zeal and affection for his service than of his capacity, he enjoined him to communicate all his measures to Ormond; and though the final conclusion of the treaty must be executed only in Glamorgan's own name, he was required to be directed in the steps towards it by the opinion of the lord-lieutenant. Glamorgan, bigoted to his religion and passionate for the king's service, but guided in these pursuits by no manner of judgment or discretion, secretly, of himself, without any communication with Ormond, concluded a peace with the council of Kilkenny, and agreed, in the king's name, that the Irish should enjoy all the churches of which they had ever been in possession since the commencement of their insurrection, on condition that they should assist the king in England with a body of ten thousand men. This transaction was discovered by accident. The titular Archbishop of Tuam being killed by a sally of the garrison of Sligo, the articles of the treaty were found among his baggage, and were immediately published everywhere, and cop-

<sup>46</sup> Rushworth, vol. vii p. 249. Clarendon, vol. iv. p. 741.



ies of them sent over to the English Parliament.<sup>47</sup> The lord-lieutenant and Lord Digby, foreseeing the clamor which would be raised against the king, committed Glamorgan to prison, charged him with treason for his temerity, and maintained that he had acted altogether without any authority from his master. The English Parliament, however, neglected not so favorable an opportunity of reviving the whole clamor with regard to the king's favor of popery, and accused him of delivering over, in a manner, the whole kingdom of Ireland to that hated sect. The king told them "that the Earl of Glamorgan, having made an offer to raise forces in the kingdom of Ireland and to conduct them into England for his majesty's service, had a commission to that purpose, and to that purpose only, and that he had no commission at all to treat of anything else without the privity and direction of the lord-lieutenant, much less to capitulate anything concerning religion or any property belonging either to Church or laity."<sup>48</sup> Though this declaration seems agreeable to truth, it gave no satisfaction to the Parliament; and some historians, even at present, when the ancient bigotry is somewhat abated, are desirous of representing this very innocent transaction, in which the king was engaged by the most violent necessity, as a stain on the memory of that unfortunate prince.<sup>49</sup>

Having lost all hope of prevailing over the rigor of the Parliament either by arms or by treaty, the only resource which remained to the king was derived from the intestine dissensions, which ran very high among his enemies. Presbyterians and Independents, even before their victory was fully completed, fell into contests about the division of the spoil, and their religious as well as civil disputes agitated the whole kingdom.

The Parliament, though they had early abolished episcopal authority, had not, during so long a time, substituted any other spiritual government in its place; and their committees of religion had hitherto assumed the whole ecclesiastical jurisdiction; but they now established, by an ordinance, the Presbyterian model in all its forms of *congregational*, *classical*, *provincial*, and *national* assemblies. All the inhabitants of each parish were ordered to meet and choose elders, on whom, together with the minister, was bestowed the entire direction of all spiritual concerns with-

<sup>47</sup> Rushworth, vol. vii. p. 239.

<sup>48</sup> Birch, p. 119

<sup>49</sup> See note [CC] at the end of the volume.

in the congregation. A number of neighboring parishes, commonly between twelve and twenty, formed a classis; and the court, which governed this division, was composed of all the ministers, together with two, three, or four elders chosen from each parish. The provincial assembly retained an inspection over several neighboring classes, and was composed entirely of clergymen. The national assembly was constituted in the same manner, and its authority extended over the whole kingdom. It is probable that the tyranny exercised by the Scottish clergy had given warning not to allow laymen a place in the provincial or national assemblies, lest the nobility and more considerable gentry, soliciting a seat in these great ecclesiastical courts, should bestow a consideration upon them, and render them in the eyes of the multitude a rival to the Parliament. In the inferior courts, the mixture of the laity might serve rather to temper the usual zeal of the clergy.<sup>50</sup>

But though the Presbyterians, by the establishment of parity among the ecclesiastics, were so far gratified, they were denied satisfaction in several other points on which they were extremely intent. The assembly of divines had voted Presbytery to be of divine right. The Parliament refused their assent to that decision.<sup>51</sup> Selden, Whitlocke, and other political reasoners, assisted by the Independents, had prevailed in this important deliberation. They thought that, had the bigoted religionists been able to get their heavenly charter recognized, the presbyters would soon become more dangerous to the magistrate than had ever been the prelatical clergy. These latter, while they claim to themselves a divine right, admitted of a like origin to civil authority; the former, challenging to their own order a celestial pedigree, derived the legislative power from a source no more dignified than the voluntary association of the people.

Under color of keeping the sacraments from profanation, the clergy of all Christian sects had assumed what they call the power of the keys, or the right of fulminating excommunication. The example of Scotland was a sufficient lesson for the Parliament to use precaution in guarding against so severe a tyranny. They determined, by a general ordinance, all the cases in which excommunication could be used. They allowed of appeals to Parliament from all ecclesiastical courts. And they appointed commissioners in

<sup>50</sup> Rushworth, vol. vii. p. 224

<sup>51</sup> Whitlocke, p. 106. Rushworth, vol. vii. pp. 260, 261.

every province to judge of such cases as fell not within their general ordinance.<sup>52</sup> So much civil authority, intermixed with the ecclesiastical, gave disgust to all the zealots.

But nothing was attended with more universal scandal than the propensity of many in the Parliament towards a toleration of the Protestant sectaries. The Presbyterians exclaimed that this indulgence made the Church of Christ resemble Noah's ark, and rendered it a receptacle for all unclean beasts. They insisted that the least of Christ's truths was superior to all political considerations.<sup>53</sup> They maintained the eternal obligation imposed by the covenant to extirpate heresy and schism; and they menaced all their opponents with the same rigid persecution under which they themselves had groaned when held in subjection by the hierarchy.

So great prudence and reserve, in such material points, does great honor to the Parliament; and proves that, notwithstanding the prevalence of bigotry and fanaticism, there were many members who had more enlarged views, and paid regard to the civil interests of society. These men, uniting themselves to the enthusiasts, whose genius is naturally averse to clerical usurpations, exercised so jealous an authority over the assembly of divines that they allowed them nothing but the liberty of tendering advice, and would not intrust them even with the power of electing their own chairman or his substitute, or of supplying the vacancies of their own members.

While these disputes were canvassed by theologians, who engaged in their spiritual contests every order of the state, the king, though he entertained hopes of reaping advantage from those divisions, was much at a loss which side it would be most for his interest to comply with. The Presbyterians were, by their principles, the least averse to regal authority, but were rigidly bent on the extirpation of prelacy; the Independents were resolute to lay the foundation of a republican government; but as they pretended not to erect themselves into a national church, it might be hoped that, if gratified with a toleration, they would admit the re-establishment of the hierarchy. So great attachment had the king to episcopal jurisdiction that he was ever inclined to put it in balance even with his own power and kingly office.

But whatever advantage he might hope to reap from the

<sup>52</sup> Rushworth, vol. vii. p. 210.

<sup>53</sup> Rushworth, vol. vii. p. 308.

divisions in the parliamentary party, he was apprehensive lest it should come too late to save him from the destruction with which he was instantly threatened. Fairfax was approaching with a powerful and victorious army, and was taking the proper measures for laying siege to Oxford, which must infallibly fall into his hands. To be taken captive and led in triumph by his insolent enemies was what Charles justly abhorred, and every insult, if not violence, was to be dreaded from the enthusiastic soldiery, who hated his person and despised his dignity. In this desperate extremity, he embraced a measure which, in any other situation, might lie under the imputation of imprudence and indiscretion.

Montreville, the French minister, interested for the king more by the natural sentiments of humanity than any instructions from his court, which seemed rather to favor the Parliament, had solicited the Scottish generals and commissioners to give protection to their distressed sovereign; and having received many general professions and promises, he had always transmitted these, perhaps with some exaggeration, to the king. From his suggestions, Charles began to entertain thoughts of leaving Oxford, and flying to the Scottish army, which at that time lay before Newark.<sup>54</sup> He considered that the Scottish nation had been fully gratified in all their demands; and having already, in their own country, annihilated both episcopacy and regal authority, had no further concessions to exact from him. In all disputes which had passed about settling the terms of peace, the Scots, he heard, had still adhered to the milder side, and had endeavored to soften the rigor of the English Parliament. Great disgusts, also on other accounts, had taken place between the nations; and the Scots found that, in proportion as their assistance became less necessary, less value was put upon them. The progress of the Independents gave them great alarm, and they were scandalized to hear their beloved covenant spoken of, every day, with less regard and reverence. The refusal of a divine right to Presbytery, and the infringing of ecclesiastical discipline from political considerations, were, to them, the subject of much offence; and the king hoped that, in their present disposition, the sight of their native prince flying to them in this extremity of distress would rouse every spark of generosity in their bosom, and procure him their favor and protection.

That he might the better conceal his intentions, orders

<sup>54</sup> Clarendon, vol. iv. p. 750; vol. v. p. 16.



were given at every gate at Oxford for allowing three persons to pass, and in the night the king, accompanied by none but Dr. Hudson and Mr. Ashburnham, went out at that gate which leads to London. He rode before a portmanteau, and called himself Ashburnham's servant. He passed through Henley, St. Alban's, and came so near to London as Harrow-on-the-Hill. He once entertained thoughts of entering into that city, and of throwing himself on the mercy of Parliament. But at last, after passing through many cross-roads, he arrived at the Scottish camp before Newark.<sup>55</sup> The Parliament, hearing of his escape from Oxford, issued rigorous orders, and threatened with instant death whoever should harbor or conceal him.<sup>56</sup>

The Scottish generals and commissioners affected great surprise on the appearance of the king; and, though they paid him all the exterior respect due to his dignity, they instantly set a guard upon him, under color of protection, and made him in reality a prisoner. They informed the English Parliament of this unexpected incident, and assured them that they had entered into no private treaty with the king. They applied to him for orders to Bellasis, Governor of Newark, to surrender that town, now reduced to extremity, and the orders were instantly obeyed. And hearing that the Parliament laid claim to the entire disposal of the king's person, and that the English army was making some motions towards them, they thought proper to retire northwards, and to fix their camp at Newcastle.<sup>57</sup>

This measure was very grateful to the king, and he began to entertain hopes of protection from the Scots. He was particularly attentive to the behavior of their preachers, on whom all depended. It was the mode of that age to make the pulpit the scene of news, and on every great event, the whole Scripture was ransacked by the clergy for passages applicable to the present occasion. The first minister who preached before the king chose these words for his text: "And, behold, all the men of Israel came to the king, and said unto him, Why have our brethren the men of Judah stolen thee away, and have brought the king, and his household, and all David's men with him, over Jordan? And all the men of Judah answered the men of Israel, Because the king is near of kin to us; wherefore then be ye angry for this matter? have we eaten at all of the king's cost? or hath

<sup>55</sup> Rushworth, vol. vii. p. 267.

<sup>56</sup> Whitlocke, p. 209.

<sup>57</sup> Rushworth, vol. vii. p. 271. Clarendon, vol. v. p. 23.

he given us any gift? And the men of Israel answered the men of Judah, and said, We have ten parts in the king, and we have also more right in David than ye: why then did ye despise us, that our advice should not be first had in bringing back our king? And the words of the men of Judah were fiercer than the words of the men of Israel.”<sup>58</sup> But the king soon found that the happiness chiefly of the allusion had tempted the preacher to employ this text, and that the covenanting zealots were nowise pacified towards him. Another preacher, after reproaching him to his face with his misgovernment, ordered this psalm to be sung:

“Why dost thou, tyrant, boast thyself,  
Thy wicked deeds to praise?”

The king stood up, and called for that psalm which begins with these words:

“Have mercy, Lord, on me, I pray,  
For men would me devour.”

The good-natured audience, in pity to fallen majesty, showed, for once, greater deference to the king than to the minister, and sang the psalm which the former had called for.<sup>59</sup>

Charles had very little reason to be pleased with his situation. He not only found himself a prisoner very strictly guarded: all his friends were kept at a distance, and no intercourse, either by letters or conversation, was allowed him with any one on whom he could depend, or who was suspected of any attachment towards him. The Scottish generals would enter into no confidence with him, and still treated him with distant ceremony and feigned respect; and every proposal which they made him tended further to his abasement and to his ruin.<sup>60</sup>

They required him to issue orders to Oxford and all his other garrisons, commanding their surrender to the Parliament; and the king, sensible that their resistance was to very little purpose, willingly complied. The terms given to most of them were honorable; and Fairfax, as far as lay in his power, was very exact in observing them. Far from allowing violence, he would not even permit insults or triumph over the unfortunate royalists; and by his generous humanity so cruel a civil war was ended, in appearance, very calmly between the parties.

<sup>58</sup> 2 Sam. xix. 41, 42, 43. See Clarendon, vol. v. pp. 23, 24.

<sup>59</sup> Whitlocke, p. 234.

<sup>60</sup> Clarendon, vol. v. p. 30.

Ormond, having received like orders, delivered Dublin and other forts into the hands of the parliamentary officers. Montrose also, after having experienced still more variety of good and bad fortune, threw down his arms and retired out of the kingdom.

The Marquis of Worcester, a man past eighty-four, was the last in England that submitted to the authority of the Parliament. He defended Raglan Castle to extremity, and opened not its gates till the middle of August. Four years, a few days excepted, were now elapsed since the king first erected his standard at Nottingham.<sup>61</sup> So long had the British nations, by civil and religious quarrels, been occupied in shedding their own blood and laying waste their native country.

The Parliament and the Scots laid their proposals before the king. They were such as a captive, entirely at mercy, could expect from the most inexorable victor; yet they were little worse than what were insisted on before the battle of Naseby. The power of the sword, instead of ten, which the king now offered, was demanded for twenty years, together with a right to levy whatever money the Parliament should think proper for the support of their armies. The other conditions were, in the main, the same with those which had formerly been offered to the king.<sup>62</sup>

Charles said that proposals which introduced such important innovations in the constitution demanded time for deliberation: the commissioners replied that he must give his answer in ten days.<sup>63</sup> He desired to reason about the meaning and import of some terms; they informed him that they had no power of debate, and peremptorily required his consent or refusal. He requested a personal treaty with the Parliament; they threatened that if he delayed compliance, the Parliament would by their own authority settle the nation.

What the Parliament was most intent upon was, not their treaty with the king, to whom they paid little regard, but that with the Scots. Two important points remained to be settled with that nation—their delivery of the king and the estimation of their arrears.

The Scots might pretend that, as Charles was king of Scotland as well as of England, they were entitled to an equal vote in the disposal of his person; and that, in such a

<sup>61</sup> Rushworth, vol. vi. p. 293.

<sup>62</sup> Rushworth, vol. vii. p. 319.

<sup>62</sup> Rushworth, vol. vi. p. 309.

case, where the titles are equal and the subject indivisible, the preference was due to the present possessor. The English maintained that the king, being in England, was comprehended within the jurisdiction of that kingdom, and could not be disposed of by any foreign nation. A delicate question this, and what surely could not be decided by precedent, since such a situation is not anywhere to be found in history.<sup>64</sup>

As the Scots concurred with the English in imposing such severe conditions on the king that, notwithstanding his unfortunate situation, he still refused to accept of them, it is certain that they did not desire his freedom; nor could they ever intend to join lenity and rigor together in so inconsistent a manner. Before the settlement of terms, the administration must be possessed entirely by the parliaments of both kingdoms; and how incompatible that scheme with the liberty of the king is easily imagined. To carry him a prisoner into Scotland, where few forces could be supported to guard him, was a measure so full of inconvenience and danger that, even if the English had consented to it, it must have appeared to the Scots themselves altogether ineligible; and how could such a plan be supported in opposition to England, possessed of such numerous and victorious armies, which were at that time, at least seemed to be, in entire union with the Parliament? The only expedient, it is obvious, which the Scots could embrace, if they scrupled wholly to abandon the king, was immediately to return, fully and cordially, to their allegiance; and, uniting themselves with the royalists in both kingdoms, endeavor, by force of arms, to reduce the English Parliament to more moderate conditions; but, besides that this measure was full of extreme hazard, what was it but instantly to combine with their old enemies against their old friends, and, in a fit of romantic generosity, overturn what, with so much expense of blood and treasure, they had, during the course of so many years, been so carefully erecting?

But, though all these reflections occurred to the Scottish commissioners, they resolved to prolong the dispute, and to keep the king as a pledge for those arrears which they claimed from England, and which they were not likely, in the present disposition of that nation, to obtain by any other expedient. The sum, by their account, amounted to near two millions, for they had received little regular pay

<sup>64</sup> Rushworth, vol. vii. p. 339.



since they had entered England. And, though the contributions which they had levied, as well as the price of their living at free quarters, must be deducted, yet still the sum which they insisted on was very considerable. After many discussions, it was at last agreed that, in lieu of all demands, they should accept of four hundred thousand pounds, one half to be paid instantly, another in two subsequent payments.<sup>65</sup>

Great pains were taken by the Scots (and the English complied with their pretended delicacy) to make this estimation and payment of arrears appear a quite different transaction from that for the delivery of the king's person; but common-sense requires that they should be regarded as one and the same. The English, it is evident, had they not been previously assured of receiving the king, would never have parted with so considerable a sum, and, while they weakened themselves by the same measure, have strengthened a people with whom they must afterwards have so material an interest to discuss.

Thus the Scottish nation underwent, and still undergo (for such grievous stains are not easily wiped off), the reproach of selling their king and betraying their prince for money. In vain did they maintain that this money was, on account of former services, undoubtedly their due; that in their present situation no other measure, without the utmost indiscretion or even their apparent ruin, could be embraced; and that, though they delivered their king into the hands of his open enemies, they were themselves as much his open enemies as those to whom they surrendered him, and their common hatred against him had long united the two parties in strict alliance with each other. They were still answered that they made use of this scandalous expedient for obtaining their wages; and that after taking arms without any provocation against their sovereign, who had ever loved and cherished them, they had deservedly fallen into a situation from which they could not extricate themselves without either infamy or imprudence.

The infamy of this bargain had such an influence on the Scottish Parliament that they once voted that the king should be protected and his liberty insisted on. But the general assembly interposed, and pronounced that as he had refused to take the covenant, which was pressed on him, it became not the godly to concern themselves about his for-

<sup>65</sup> Rushworth, vol. vii. p. 326. Parliamentary History, vol. xv. p. 236.

tunes. After this declaration, it behooved the Parliament to retract their vote.<sup>66</sup>

Intelligence concerning the final resolution of the Scottish nation to surrender him was brought to the king; and he happened at that very time to be playing at chess.<sup>67</sup> Such command of temper did he possess that he continued his game without interruption; and none of the bystanders could perceive that the letter which he perused had brought him news of any consequence. The English commissioners, who, some days after, came to take him under their custody, were admitted to kiss his hands; and he received them with the same grace and cheerfulness as if they had travelled on no other errand than to pay court to him. The old Earl of Pembroke, in particular, who was one of them, he congratulated on his strength and vigor that he was still able, during such a season, to perform so long a journey in company with so many young people.

[1647.] The king, being delivered over by the Scots to the English commissioners, was conducted under a guard to Holdenby, in the county of Northampton. On his journey, the whole country flocked to behold him, moved partly by curiosity, partly by compassion and affection. If any still retained rancor against him in his present condition, they passed in silence; while his well-wishers, more generous than prudent, accompanied his march with tears, with acclamations, and with prayers for his safety.<sup>68</sup> That ancient superstition likewise of desiring the king's touch in scrofulous distempers seemed to acquire fresh credit among the people, from the general tenderness which began to prevail for this virtuous and unhappy monarch.

The commissioners rendered his confinement at Holdenby very rigorous—dismissing his ancient servants, debarring him from visits, and cutting off all communication with his friends or family. The Parliament, though earnestly applied to by the king, refused to allow his chaplains to attend him, because they had not taken the covenant. The king refused to assist at the service exercised according to the directory, because he had not as yet given his consent to that mode of worship.<sup>69</sup> Such religious zeal prevailed on both sides! and such was the unhappy and distracted condition to which it had reduced king and people!

<sup>66</sup> Parliamentary History, vol. xv. pp. 243, 244.

<sup>67</sup> Burnet's Memoirs of the Hamiltons.

<sup>68</sup> Clarendon, vol. v. p. 39. Warwick, p. 298.

<sup>69</sup> Ludlow. Herbert.

During the time that the king remained in the Scottish army at Newcastle died the Earl of Essex, the discarded, but still powerful and popular, general of the Parliament. His death in this conjuncture was a public misfortune. Fully sensible of the excesses to which affairs had been carried, and of the worse consequences which were still to be apprehended, he had resolved to conclude a peace, and to remedy, as far as possible, all those ills to which, from mistake rather than any bad intentions, he had himself so much contributed. The Presbyterian, or the moderate, party among the Commons found themselves considerably weakened by his death; and the small remains of authority which still adhered to the House of Peers were in a manner wholly extinguished.<sup>70</sup>

<sup>70</sup> Clarendon, vol. v. p. 43.

## CHAPTER LIX.

MUTINY OF THE ARMY.—THE KING SEIZED BY JOYCE.—THE ARMY MARCH AGAINST THE PARLIAMENT.—THE ARMY SUBDUE THE PARLIAMENT.—THE KING FLIES TO THE ISLE OF WIGHT.—SECOND CIVIL WAR.—INVASION FROM SCOTLAND.—THE TREATY OF NEWPORT.—THE CIVIL WAR AND INVASION REPRESSED.—THE KING SEIZED AGAIN BY THE ARMY.—THE HOUSE PURGED.—THE KING'S TRIAL—AND EXECUTION—AND CHARACTER.

THE dominion of the Parliament was of short duration. No sooner had they subdued their sovereign than their own servants rose against them, and tumbled them from their slippery throne. [1647.] The sacred boundaries of the laws being once violated, nothing remained to confine the wild projects of zeal and ambition. And every successive revolution became a precedent for that which followed it.

In proportion as the terror of the king's power diminished, the division between Independents and Presbyterians became every day more apparent; and the neutrals found it at last requisite to seek shelter in one or the other faction. Many new writs were issued for elections in the room of members who had died, or were disqualified by adhering to the king; yet still the Presbyterians retained the superiority among the Commons; and all the Peers, except Lord Say, were esteemed of that party. The Independents, to whom the inferior sectaries adhered, predominated in the army; and the troops of the new model were universally infected with that enthusiastic spirit. To their assistance did the Independent party among the Commons chiefly trust in their projects for acquiring the ascendant over their antagonists.

Soon after the retreat of the Scots, the Presbyterians, seeing everything reduced to obedience, began to talk of diminishing the army; and, on pretence of easing the public burdens, they levelled a deadly blow at the opposite faction. They purposed to embark a strong detachment under



Skippon and Massey for the service of Ireland; they openly declared their intention of making a great reduction of the remainder.<sup>1</sup> It was even imagined that another new model of the army was projected, in order to regain the Presbyterians that superiority which they had so imprudently lost by the former.<sup>2</sup>

The army had small inclination to the service of Ireland—a country barbarous, uncultivated, and laid waste by massacres and civil commotions; they had less inclination to disband and to renounce that pay which, having earned it through fatigues and dangers, they now proposed to enjoy in ease and tranquillity. And most of the officers, having risen from the dregs of the people, had no other prospect, if deprived of their commission, than that of returning to languish in their native poverty and obscurity.

These motives of interest acquired additional influence, and became more dangerous to the Parliament from the religious spirit by which the army was universally actuated. Among the generality of men educated in regular civilized societies, the sentiments of shame, duty, honor, have considerable authority, and serve to counterbalance and direct the motives derived from private advantage; but by the predominancy of enthusiasm among the parliamentary forces these salutary principles lost their credit, and were regarded as mere human inventions, yea, moral institutions, fitter for heathens than for Christians.<sup>3</sup> The saint, resigned over to superior guidance, was at full liberty to gratify all his appetites, disguised under the appearance of pious zeal. And, besides the strange corruptions engendered by this spirit, it eluded and loosened all the ties of morality, and gave entire scope, and even sanction, to the selfishness and ambition which naturally adhere to the human mind.

The military confessors were further encouraged in disobedience to superiors by that spiritual pride to which a mistaken piety is so subject. They were not, they said, mere janizaries, mercenary troops enlisted for hire, and to be disposed of at the will of their paymasters.<sup>4</sup> Religion and liberty were the motives which had excited them to arms; and they had a superior right to see those blessings which they had purchased with their blood insured to future

<sup>1</sup> Fourteen thousand men were only intended to be kept up—six thousand horse, six thousand foot, and two thousand dragoons.—Bates.

<sup>2</sup> Rushworth, vol. vii. p. 564.

<sup>3</sup> Rushworth, vol. vi. p. 134.

<sup>4</sup> Rushworth, vol. vii. p. 565.

generations. By the same title that the Presbyterians, in contradistinction to the royalists, had appropriated to themselves the epithet of *godly* or the *well-affected*,<sup>5</sup> the Independents did now, in contradistinction to the Presbyterians, assume this magnificent appellation, and arrogate all the ascendant which naturally belongs to it.

Hearing of parties in the House of Commons, and being informed that the minority were friends to the army, the majority enemies, the troops naturally interested themselves in that dangerous distinction, and were eager to give the superiority to their partisans. Whatever hardships they underwent, though perhaps derived from inevitable necessity, were ascribed to a settled design of oppressing them, and resented as an effect of the animosity and malice of their adversaries.

Notwithstanding the great revenue which accrued from taxes, assessments, sequestrations, and compositions, considerable arrears were due to the army; and many of the private men, as well as officers, had near a twelvemonth's pay still owing them. The army suspected that this deficiency was purposely contrived in order to oblige them to live at free quarters, and, by rendering them odious to the country, serve as a pretence for disbanding them. When they saw such members as were employed in committees and civil offices accumulate fortunes, they accused them of rapine and public plunder. And as no plan was pointed out by the Commons for the payment of arrears, the soldiers dreaded that, after they should be disbanded or embarked for Ireland, their enemies, who predominated in the two Houses, would entirely defraud them of their right, and oppress them with impunity.

On this ground or pretence did the first commotions begin in the army. A petition addressed to Fairfax, the general, was handed about, craving an indemnity, and that ratified by the king, for any illegal actions of which, during the course of the war, the soldiers might have been guilty; together with satisfaction in arrears, freedom from pressing, relief of widows and maimed soldiers, and pay till disbanded.<sup>6</sup> The Commons, aware of what combustible materials the army was composed, were alarmed at this intelligence. Such a combination, they knew, if not checked in its first appearance, must be attended with the most dangerous consequences, and must soon exalt the military above

<sup>5</sup> Rushworth, vol. vii. p. 474.

<sup>6</sup> Parliamentary Hist. vol. xv. p. 342.

the civil authority. Besides summoning some officers to answer for this attempt, they immediately voted that the petition tended to introduce mutiny, to put conditions upon the Parliament, and to obstruct the relief of Ireland; and they threatened to proceed against the promoters of it as enemies to the state and disturbers of public peace.<sup>7</sup> This declaration, which may be deemed violent, especially as the army had some ground for complaint, produced fatal effects. The soldiers lamented that they were deprived of the privileges of Englishmen; that they were not allowed so much as to represent their grievances; that while petitions from Essex and other places were openly encouraged against the army, their mouths were stopped; and that they, who were the authors of liberty to the nation, were reduced by a faction in Parliament to the most grievous servitude.

In this disposition was the army found by Warwick, Dacres, Massey, and other commissioners who were sent to make them proposals for entering into the service of Ireland.<sup>8</sup> Instead of enlisting, the generality objected to the terms, demanded an indemnity, were clamorous for their arrears; and though they expressed no dissatisfaction against Skippon, who was appointed commander, they discovered much stronger inclination to serve under Fairfax and Cromwell.<sup>9</sup> Some officers who were of the Presbyterian party, having entered into engagements for this service, could prevail on very few of the soldiers to enlist under them. And as these officers lay all under the grievous reproach of deserting the army and betraying the interests of their companions, the rest were further confirmed in that confederacy which they had secretly formed.<sup>10</sup>

To petition and remonstrate being the most cautious method of conducting a confederacy, an application to Parliament was signed by near two hundred officers, in which they made their apology with a very imperious air, asserted their right of petitioning, and complained of that imputation thrown upon them by the former declaration of the lower House.<sup>11</sup> The private men, likewise, of some regiments sent a letter to Skippon, in which, together with insisting on the same topics, they lament that designs were formed against them and many of the godly party in the

<sup>7</sup> Parliamentary Hist. vol. xv. p. 344.

<sup>8</sup> Rushworth, vol. vii. p. 457.

<sup>10</sup> Rushworth, vol. vii. pp. 461, 556.

<sup>9</sup> Rushworth, vol. vii. p. 458.

<sup>11</sup> Rushworth, vol. vii. p. 468.

kingdom, and declare that they could not engage for Ireland till they were satisfied in their expectations, and had their just desires granted.<sup>12</sup> The army, in a word, felt their power and resolved to be masters.

The Parliament, too, resolved, if possible, to preserve their dominion; but, being destitute of power, and not retaining much authority, it was not easy for them to employ any expedient which could contribute to their purpose. The expedient which they now made use of was the worst imaginable. They sent Skippon, Cromwell, Ireton, and Fleetwood to the headquarters at Saffron Walden, in Essex; and empowered them to make offers to the army, and inquire into the cause of its *distempers*. These very generals, at least the three last, were secretly the authors of all the discontents, and failed not to foment those disorders which they pretended to appease. By their suggestion, a measure was embraced which at once brought matters to extremity, and rendered the mutiny incurable.

In opposition to the Parliament at Westminster, a military Parliament was formed. Together with a council of the principal officers, which was appointed after the model of the House of Peers, a more free representative of the army was composed by the election of two private men or inferior officers, under the title of agitators, from each troop or company.<sup>13</sup> By this means both the general humor of that time was gratified, intent on plans of imaginary republics, and an easy method contrived for conducting underhand, and propagating, the sedition of the army.

This terrible court, when assembled, having first declared that they found no *distempers* in the army, but many *grievances* under which it labored, immediately voted the offers of the Parliament unsatisfactory. Eight weeks' pay alone, they said, was promised—a small part of fifty-six weeks', which they claimed as their due. No visible security was given for the remainder; and having been declared public enemies by the Commons, they might hereafter be prosecuted as such, unless the declaration were recalled.<sup>14</sup> Before matters came to this height, Cromwell had posted up to London, on pretence of laying before the Parliament the rising discontents of the army.

<sup>12</sup> Rushworth, vol. vii. p. 474.

<sup>13</sup> Rushworth, vol. vii. p. 485. Clarendon, vol. v. p. 43.

<sup>14</sup> Rushworth, vol. vii. pp. 497, 505. Whitlocke, p. 250.



The Parliament made one vigorous effort more to try the force of their authority : they voted that all the troops which did not engage for Ireland should instantly be disbanded in their quarters.<sup>15</sup> At the same time the council of the army ordered a general rendezvous of all the regiments, in order to provide for their common interests. And while they thus prepared themselves for opposition to the Parliament they struck a blow which at once decided the victory in their favor.

A party of five hundred horse appeared at Holdenby, conducted by one Joyce, who had once been a tailor by profession, but was now advanced to the rank of cornet, and was an active agitator in the army. Without being opposed by the guard, whose affections were all on their side, Joyce came into the king's presence armed with pistols, and told him that he must immediately go along with him. "Whither?" said the king. "To the army," replied Joyce. "By what warrant?" asked the king. Joyce pointed to the soldiers whom he brought along, tall, handsome, and well accoutred. "Your warrant," said Charles, smiling, "is written in fair characters, legible without spelling."<sup>16</sup> The parliamentary commissioners came into the room. They asked Joyce whether he had any orders from the Parliament. He said, "No." From the general? "No." By what authority he came? He made the same reply as to the king. "They would write," they said, "to the Parliament to know their pleasure." "You may do so," replied Joyce, "but in the meantime the king must immediately go with me." Resistance was vain. The king, after protracting the time as long as he could, went into his coach, and was safely conducted to the army, who were hastening to their rendezvous at Triplo Heath, near Cambridge. The Parliament, informed of this event by their commissioners, were thrown into the utmost consternation.<sup>17</sup>

Fairfax himself was no less surprised at the king's arrival. That bold measure executed by Joyce had never been communicated to the general. The orders were entirely verbal, and nobody avowed them. And while every one affected astonishment at the enterprise, Cromwell, by whose counsel it had been directed, arrived from London and put an end to their deliberations.

This artful and audacious conspirator had conducted

<sup>15</sup> Rushworth, vol. vii. p. 487.

<sup>16</sup> Whitlocke, p. 254. Warwick, p. 299.

<sup>17</sup> Rushworth, vol. vii. pp. 514, 515. Clarendon, vol. v. p. 47.

himself in the Parliament with such profound dissimulation, with such refined hypocrisy, that he had long deceived those who, being themselves very dexterous practitioners in the same arts, should naturally have entertained the more suspicion against others. At every intelligence of disorders in the army he was moved to the highest pitch of grief and of anger. He wept bitterly; he lamented the misfortunes of his country; he advised every violent measure for suppressing the mutiny; and by these precipitate counsels at once seemed to evince his own sincerity and inflamed those contents of which he intended to make advantage. He obtested heaven and earth that his devoted attachment to the Parliament had rendered him so odious in the army that his life while among them was in the utmost danger, and he had very narrowly escaped a conspiracy formed to assassinate him. But information being brought that the most active officers and agitators were entirely his creatures, the parliamentary leaders secretly resolved that next day, when he should come to the House, an accusation should be entered against him and he should be sent to the Tower.<sup>18</sup> Cromwell, who in the conduct of his desperate enterprises, frequently approached to the very brink of destruction, knew how to make the requisite turn with proper dexterity and boldness. Being informed of this design, he hastened to the camp, where he was received with acclamations, and was instantly invested with the supreme command, both of general and army.

Fairfax, having neither talents himself for cabal, nor penetration to discover the cabals of others, had given his entire confidence to Cromwell, who by the best colored pretences, and by the appearance of an open sincerity and a scrupulous conscience, imposed on the easy nature of this brave and virtuous man. The council of officers and the agitators were moved altogether by Cromwell's direction, and conveyed his will to the whole army. By his profound and artful conduct he had now attained a situation where he could cover his enterprises from public view; and, seeming either to obey the commands of his superior officer or yield to the movements of the soldiers, could secretly pave the way for his future greatness. While the disorders of the army were yet in their infancy he kept at a distance, lest his counterfeit aversion might throw a damp upon them, or his secret encouragement beget suspicion in the Parlia-

<sup>18</sup> Clarendon, vol. v. p. 46.

ment. As soon as they came to maturity he openly joined the troops, and in the critical moment struck that important blow of seizing the king's person, and depriving the Parliament of any resource of an accommodation with him. Though one visor fell off, another still remained to cover his natural countenance. Where delay was requisite, he would employ the most indefatigable patience; where celerity was necessary, he flew to a decision. And by thus uniting in his person the most opposite talents, he was enabled to combine the most contrary interests in a subserviency to his secret purposes.

The Parliament, though at present defenceless, was possessed of many resources, and time might easily enable them to resist that violence with which they were threatened. Without further deliberation, therefore, Cromwell advanced the army upon them, and arrived in a few days at St. Alban's.

Nothing could be more popular than this hostility which the army commenced against the Parliament. As much as that assembly was once the idol of the nation, as much was it now become the object of general hatred and aversion.

The self-denying ordinance had no longer been put in execution than till Essex, Manchester, Waller, and the other officers of that party had resigned their commissions; immediately after it was laid aside by tacit consent, and the members, sharing all offices of power and profit among them, proceeded with impunity in exercising acts of oppression on the helpless nation. Though the necessity of their situation might serve as an apology for many of their measures, the people, not accustomed to such a species of government, were not disposed to make the requisite allowances.

A small supply of one hundred thousand pounds a year could never be obtained by former kings from the jealous humor of parliaments; and the English, of all nations in Europe, were the least accustomed to taxes. But this Parliament, from the commencement of the war, according to some computations, had levied in five years above forty millions,<sup>19</sup> yet were loaded with debts and encumbrances which, during that age, were regarded as prodigious. If

<sup>19</sup> Clement Walker's History of the Two Juntos, prefixed to his History of Independency, p. 8. This is an author of spirit and ingenuity, and, being a zealous parliamentary, his authority is very considerable, notwithstanding the air of satire which prevails in his writings. This computation, however, seems much too large, especially as the sequestrations during the time of war could not be so considerable as afterwards.

these computations should be thought much exaggerated, as they probably are,<sup>20</sup> the taxes and impositions were certainly far higher than in any former state of the English government; and such popular exaggerations are, at least, a proof of popular discontents.

But the disposal of this money was no less the object of general complaint against the Parliament than the levying of it. The sum of three hundred thousand pounds they openly took, it is affirmed,<sup>21</sup> and divided among their own members. The committees to whom the management of the different branches of revenue was intrusted never brought in their accounts, and had unlimited power of secreting whatever sums they pleased from the public treasure.<sup>22</sup> These branches were needlessly multiplied, in order to render the revenue more intricate, to share the advantages among greater numbers, and to conceal the frauds of which they were universally suspected.<sup>23</sup>

The method of keeping accounts practised in the exchequer was confessedly the exactest, the most ancient, the best known, and the least liable to fraud. The exchequer was, for that reason, abolished, and the revenue put under the management of a committee, who were subject to no control.<sup>24</sup>

The excise was an odious tax, formerly unknown to the nation, and was now extended over provisions and the common necessities of life. Near one half of the goods and chattels, and at least one half of the lands, rents, and revenues, of the kingdom had been sequestered. To great numbers of royalists all redress from these sequestrations was refused; to the rest the remedy could be obtained only by paying large compositions and subscribing the covenant, which they abhorred. Besides pitying the ruin and desolation of so many ancient and honorable families, indifferent spectators could not but blame the hardship of punishing, with such severity, actions which the law, in its usual and most undisputed interpretation, strictly required of every subject.

The severities, too, exercised against the episcopal clergy naturally affected the royalists, and even all men of candor, in a sensible manner. By the most moderate computation<sup>25</sup>

<sup>20</sup> Yet the same sum precisely is assigned in another book, called *Royal Treasury of England*, p. 297.

<sup>21</sup> Clement Walker's *History of Independency*, pp. 3, 166.

<sup>22</sup> Clement Walker's *History of Independency*, p. 8.

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*

<sup>25</sup> See John Walker's *Attempt towards Recovering an Account of the Num-*



it appears that above one half of the established clergy had been turned out to beggary and want, for no other crime than their adhering to the civil and religious principles in which they had been educated, and for their attachment to those laws under whose countenance they had at first embraced that profession. To renounce episcopacy and the liturgy, and to subscribe the covenant, were the only terms which could save them from so rigorous a fate; and if the least mark of malignancy, as it was called, or affection to the king, who so entirely loved them, had ever escaped their lips, even this hard choice was not permitted. The sacred character which gives the priesthood such authority over mankind, becoming more venerable from the sufferings endured for the sake of principle by these distressed royalists, aggravated the general indignation against their persecutors.

But what excited the most universal complaint was the unlimited tyranny and despotic rule of the country committees. During the war the discretionary power of these courts was excused from the plea of necessity, but the nation was reduced to despair when it saw neither end put to their duration nor bounds to their authority. These could sequester, fine, imprison, and corporally punish, without law or remedy. They interposed in questions of private property. Under color of malignancy, they exercised vengeance against their private enemies. To the obnoxious, and sometimes to the innocent, they sold their protection. And instead of one Star-chamber, which had been abolished, a great number were anew erected, fortified with better pretences, and armed with more unlimited authority.<sup>26</sup>

Could anything have increased the indignation against that slavery into which the nation, from the too eager pursuit of liberty, had fallen, it must have been the reflection on the pretences by which the people had so long been deluded. The sanctified hypocrites, who called their oppressions the spoiling of the Egyptians, and their rigid severity the dominion of the elect, interlarded all their ini-

bers and Sufferings of the Clergy. The Parliament pretended to leave the sequestered clergy a fifth of their revenue; but this author makes it sufficiently appear that this provision, small as it is, was never regularly paid the ejected clergy.

<sup>26</sup> Clement Walker's History of Independency, p. 5. Hollis gives the same representation as Walker of the plundering, oppressions, and tyranny of the Parliament; only, instead of laying the fault on both parties, as Walker does, he ascribes it solely to the Independent faction. The Presbyterians, indeed, being commonly denominated the *moderate* party, would probably be more inoffensive. See Rushworth, vol. vii. p. 598, and Parliamentary History, vol. xv. p. 230.

quities with long and fervent prayers, saved themselves from blushing by their pious grimaces, and exercised, in the name of the Lord, all their cruelty on men. An undisguised violence could be forgiven; but such a mockery of the understanding, such an abuse of religion, were, with men of penetration, objects of peculiar resentment.

The Parliament, conscious of their decay in popularity, seeing a formidable armed force advance upon them, were reduced to despair, and found all their resources much inferior to their present necessity. London still retained a strong attachment to Presbyterianism; and its militia, which was numerous and had acquired reputation in wars, had by a late ordinance been put into hands in whom the Parliament could entirely confide. This militia was now called out, and ordered to guard the lines which had been drawn round the city, in order to secure it against the king. A body of horse was ordered to be instantly levied. Many officers, who had been cashiered by the new model of the army, offered their service to the Parliament. An army of five thousand men lay in the north under the command of General Pointz, who was of the Presbyterian faction; but these were too distant to be employed in so urgent a necessity. The forces destined for Ireland were quartered in the west; and though deemed faithful to the Parliament, they also lay at a distance. Many inland garrisons were commanded by officers of the same party; but their troops, being so much dispersed, could at present be of no manner of service. The Scots were faithful friends, and zealous for Presbytery and the covenant; but a long time was required ere they could collect their forces and march to the assistance of the Parliament.

In this situation it was thought more prudent to submit, and by compliance to stop the fury of the enraged army. The declaration by which the military petitioners had been voted public enemies was recalled and erased from the journal book.<sup>27</sup> This was the first symptom which the Parliament gave of submission; and the army, hoping by terror alone, to effect all their purposes, stopped at St. Alban's, and entered into negotiation with their masters.

Here commenced the encroachments of the military upon the civil authority. The army, in their usurpations on the Parliament, copied exactly the models which the Parliament itself had set them in their recent usurpations on the crown.

<sup>27</sup> Rushworth, vol. vii. pp. 503, 547. Clarendon, vol. v. p. 45.

Every day they rose in their demands. If one claim was granted, they had another ready, still more enormous and exorbitant, and were determined never to be satisfied. At first they pretended only to petition for what concerned themselves as soldiers; next, they must have a vindication of their character; then it was necessary that their enemies be punished;<sup>28</sup> at last they claimed a right of modelling the whole government and settling the nation.<sup>29</sup>

They preserved in words all deference and respect to the Parliament, but in reality insulted them and tyrannized over them. That assembly they pretended not to accuse; it was only evil counsellors who seduced and betrayed it.

They proceeded so far as to name eleven members, whom, in general terms, they charged with high treason, as enemies to the army and evil counsellors to the Parliament. Their names were Hollis, Sir Philip Stapleton, Sir William Lewis, Sir John Clotworthy, Sir William Waller, Sir John Maynard, Massey, Glyn, Long, Harley, and Nicholas.<sup>30</sup> These were the very leaders of the Presbyterian party.

They insisted that these members should immediately be sequestered from Parliament, and be thrown into prison.<sup>31</sup> The Commons replied that they could not, upon a general charge, proceed so far.<sup>32</sup> The army observed to them that the cases of Strafford and Laud were direct precedents for that purpose.<sup>33</sup> At last the eleven members themselves, not to give occasion for discord, begged leave to retire from the House; and the army, for the present, seemed satisfied with this mark of submission.<sup>34</sup>

Pretending that the Parliament intended to levy war upon them, and to involve the nation again in blood and confusion, they required that all new levies should be stopped. The Parliament complied with this demand.<sup>35</sup>

There being no signs of resistance, the army, in order to save appearances, removed, at the desire of the Parliament, to a greater distance from London, and fixed their headquarters at Reading. They carried the king along with them in all their marches.

That prince now found himself in a better situation than

<sup>28</sup> Rushworth, vol. vii. p. 509.

<sup>29</sup> Rushworth, vol. vii. pp. 567, 633; vol. viii. p. 731.

<sup>30</sup> Rushworth, vol. vii. p. 570.

<sup>31</sup> Rushworth, vol. vii. p. 572.

<sup>32</sup> Rushworth, vol. vii. p. 592.

<sup>33</sup> Rushworth, vol. vii. p. 594. Whitlocke, p. 259.

<sup>34</sup> Rushworth, vol. vii. pp. 593, 594. <sup>35</sup> Rushworth, vol. vii. pp. 572, 574.

at Holdenby, and had attained some greater degree of freedom as well as of consideration with both parties.

All his friends had access to his presence; his correspondence with the queen was not interrupted; his chaplains were restored to him, and he was allowed the use of the liturgy; his children were once allowed to visit him, and they passed a few days at Caversham, where he then resided.<sup>36</sup> He had not seen the Duke of Gloucester, his youngest son, and the Princess Elizabeth, since he left London, at the commencement of the civil disorders;<sup>37</sup> nor the Duke of York since he went to the Scottish army before Newark. No private man, unacquainted with the pleasures of a court and the tumult of a camp, more passionately loved his family than did this good prince; and such an instance of indulgence in the army was extremely grateful to him. Cromwell, who was witness to the meeting of the royal family, confessed that he never had been present at so tender a scene; and he extremely applauded the benignity which displayed itself in the whole disposition and behavior of Charles.

That artful politician, as well as the leaders of all parties, paid court to the king; and fortune, notwithstanding all his calamities, seemed again to smile upon him. The Parliament, afraid of his forming some accommodation with the army, addressed him in a more respectful style than formerly; and invited him to reside at Richmond and contribute his assistance to the settlement of the nation. The chief officers treated him with regard, and spoke on all occasions of restoring him to his just powers and prerogatives. In the public declarations of the army, the settlement of his revenue and authority was insisted on.<sup>38</sup> The royalists everywhere entertained hopes of restoration of monarchy, and the favor which they universally bore to the army contributed very much to discourage the Parliament and to forward their submission.

The king began to feel of what consequence he was. The more the national confusion increased, the more was he confident that all parties would at length have recourse to his lawful authority, as the only remedy for the public disorders. "You cannot be without me," said he on several occasions. "You cannot settle the nation but by my assist-

<sup>36</sup> Clarendon, vol. i. pp. 51, 52, 57.

<sup>37</sup> When the king applied to have his children, the Parliament always told him that they could take as much care at London, both of their bodies and souls, as could be done at Oxford.—Parliamentary History, vol. xiii. p. 127.

<sup>38</sup> Rushworth, vol. vii. p. 590.



ance." A people without government and without liberty, a Parliament without authority, an army without a legal master; distractions everywhere, terrors, oppressions, convulsions; from this scene of confusion, which could not long continue, all men, he hoped, would be brought to reflect on that ancient government under which they and their ancestors had so long enjoyed happiness and tranquillity.

Though Charles kept his ears open to all proposals, and expected to hold the balance between the opposite parties, he entertained more hopes of accommodation with the army. He had experienced the extreme rigor of the Parliament. They pretended totally to annihilate his authority; they had confined his person. In both these particulars the army showed more indulgence.<sup>39</sup> He had a free intercourse with his friends. And in the proposals which the council of officers sent for the settlement of the nation, they insisted neither on the abolition of episcopacy nor on the punishment of the royalists, the two points to which the king had the most extreme reluctance. And they demanded that a period should be put to the present Parliament, the event for which he most ardently longed.

His conjunction, too, seemed more natural with the generals than with that usurping assembly who had so long assumed the entire sovereignty of the state, and who had declared their resolution still to continue masters. By gratifying a few persons with titles and preferments, he might draw over, he hoped, the whole military power, and, in an instant, reinstate himself in his civil authority. To Ireton he offered the lieutenancy of Ireland; to Cromwell, the Garter, the title of Earl of Essex, and the command of the army. Negotiations to this purpose were secretly conducted. Cromwell pretended to hearken to them, and was well pleased to keep the door open for an accommodation, if the course of events should at any time render it necessary. And the king, who had no suspicion that one born a private gentleman could entertain the daring ambition of seizing the sceptre transmitted through a long line of monarchs, indulged hopes that he would, at last, embrace a measure which, by all the motives of duty, interest, and safety, seemed to be recommended to him.

While Cromwell allured the king by these expectations, he still continued his scheme of reducing the Parliament to

<sup>39</sup> Warwick, p. 303. Parliamentary History, vol. xvi. p. 40. Clarendon, vol. v. p. 50.

subjection, and depriving them of all means of resistance. To gratify the army, the Parliament invested Fairfax with the title of general-in-chief of all the forces in England and Ireland; and intrusted the whole military authority to a person who, though well inclined to their service, was no longer at his own disposal.

They voted that the troops which, in obedience to them, had enlisted for Ireland and deserted the rebellious army, should be disbanded, or, in other words, be punished for their fidelity. The forces in the north, under Pointz, had already mutinied against their general, and had entered into an association with that body of the army which was so successfully employed in exalting the military above the civil authority.<sup>40</sup>

That no resource might remain to the Parliament, it was demanded that the militia of London should be changed, the Presbyterian commissioners displaced, and the command restored to those who, during the course of the war, had constantly exercised it. The Parliament even complied with so violent a demand, and passed a vote in obedience to the army.<sup>41</sup>

By this unlimited patience they proposed to temporize under their present difficulties, and they hoped to find a more favorable opportunity for recovering their authority and influence; but the impatience of the city lost them all the advantage of their cautious measures. A petition against the alteration of the militia was carried to Westminster, attended by the apprentices and seditious multitude, who besieged the door of the House of Commons; and, by their clamor, noise, and violence, obliged them to reverse that vote which they had passed so lately. When gratified in this pretension, they immediately dispersed and left the Parliament at liberty.<sup>42</sup>

No sooner was intelligence of this tumult conveyed to Reading than the army was put in motion. The two Houses being under restraint, they were resolved, they said, to vindicate against the seditious citizens the invaded privileges of Parliament, and restore that assembly to its just freedom of debate and counsel. In their way to London, they were drawn up on Hounslow Heath—a formidable body, twenty thousand strong, and determined, without regard to laws or

<sup>40</sup> Rushworth, vol. vii. p. 620.

<sup>41</sup> Rushworth, vol. vii. pp. 629, 632.

<sup>42</sup> Rushworth, vol. vii. pp. 641, 643. Clarendon, vol. v. p. 61. Whitlocke, p. 269. Clement Walker, p. 38.

liberty, to pursue whatever measures their generals should dictate to them. Here the most favorable event happened to quicken and encourage their advance. The speakers of the two Houses, Manchester and Lenthal, attended by eight peers and about sixty commoners, having secretly retired from the city, presented themselves with their maces and all the ensigns of their dignity; and, complaining of the violence put upon them, applied to the army for defence and protection. They were received with shouts and acclamations, respect was paid to them as to the Parliament of England, and the army, being provided with so plausible a pretence—which in all public transactions is of great consequence—advanced to chastise the rebellious city and to reinstate the violated Parliament.<sup>43</sup>

Neither Lenthal nor Manchester was esteemed an Independent, and such a step in them was unexpected. But they probably foresaw that the army must, in the end, prevail; and they were willing to pay court in time to that authority which began to predominate in the nation.

The Parliament, forced from their temporizing measures and obliged to resign at once, or combat for their liberty and power, prepared themselves with vigor for defence, and determined to resist the violence of the army. The two Houses immediately chose new speakers, Lord Hunsdon and Henry Pelham; they renewed their former orders for enlisting troops; they appointed Massey to be commander; they ordered the train-bands to man the lines; and the whole city was in a ferment and resounded with military preparations.<sup>44</sup>

When any intelligence arrived that the army stopped or retreated, the shout of "One and all" ran with alacrity from street to street among the citizens; when news came of their advancing, the cry of "Treat and capitulation" was no less loud and vehement.<sup>45</sup> The terror of a universal pillage, and even massacre, had seized the timid inhabitants.

As the army approached, Rainsborow, being sent by the general over the river, presented himself before Southwark, and was gladly received by some soldiers, who were quartered there for its defence, and who were resolved not to separate their interests from those of the army. It behooved, then, the Parliament to submit. The army marched in triumph through the city, but preserved the greatest order,

<sup>43</sup> Rushworth, vol. vii. p. 750. Clarendon, vol. v. p. 63.

<sup>44</sup> Rushworth, vol. vii. p. 616.

<sup>45</sup> Whitlocke, p. 265.

decency, and appearance of humility. They conducted to Westminster the two speakers, who took their seats as if nothing had happened. The eleven impeached members, being accused as authors of the tumult, were expelled, and most of them retired beyond sea. Seven peers were impeached; the mayor, one sheriff, and three aldermen sent to the Tower; several citizens and officers of the militia committed to prison; every deed of the Parliament annulled from the day of the tumult till the return of the speakers; the lines about the city levelled; the militia restored to the Independents; regiments quartered in Whitehall and the Mews; and the Parliament being reduced to a regular formed servitude, a day was appointed of solemn thanksgiving for the restoration of its liberty.<sup>46</sup>

The Independent party among the Commons exulted in their victory. The whole authority of the nation, they imagined, was now lodged in their hands; and they had a near prospect of moulding the government into that imaginary republic which had long been the object of their wishes. They had secretly concurred in all encroachments of the military upon the civil power; and they expected, by the terror of the sword, to impose a more perfect system of liberty on the reluctant nation. All parties, the king, the Church, the Parliament, the Presbyterians, had been guilty of errors since the commencement of these disorders; but it must be confessed that this delusion of the Independents and Republicans was, of all others, the most contrary to common-sense and the established maxims of policy. Yet were the leaders of that party—Vane, Fiennes, St. John, Martin—the men in England the most celebrated for profound thought and deep contrivance; and by their well-colored pretences and professions they had overreached the whole nation. To deceive such men would argue a superlative capacity in Cromwell, were it not that, besides the great difference there is between dark, crooked counsels and true wisdom, an exorbitant passion for rule and authority will make the most prudent overlook the dangerous consequences of such measures as seem to tend in any degree to their own advancement.

The leaders of the army, having established their dominion over the Parliament and city, ventured to bring the king to Hampton Court, and he lived for some time in that palace with an appearance of dignity and freedom. Such equil-

<sup>46</sup> Rushworth, vol. viii. pp. 797, 798, etc.



ity of temper did he possess that, during all the variety of fortune which he underwent, no difference was perceived in his countenance or behavior; and, though a prisoner in the hands of his most inveterate enemies, he supported towards all who approached him the majesty of a monarch; and that neither with less nor greater state than he had been accustomed to maintain. His manner, which was not in itself popular nor gracious, now appeared amiable from its great meekness and equality.

The Parliament renewed their applications to him, and presented him with the same conditions which they had offered at Newcastle. The king declined accepting them, and desired the Parliament to take the proposals of the army into consideration, and make them the foundation of the public settlement.<sup>47</sup> He still entertained hopes that his negotiations with the generals would be crowned with success, though everything in that particular daily bore a worse aspect. Most historians have thought that Cromwell never was sincere in his professions; and that, having, by force, rendered himself master of the king's person, and, by fair pretences, acquired the countenance of the royalists, he had employed these advantages to the enslaving of the Parliament, and afterwards thought of nothing but the establishment of his own unlimited authority, with which he esteemed the restoration, and even life, of the king altogether incompatible. This opinion, so much warranted by the boundless ambition and profound dissimulation of his character, meets with ready belief, though it is more agreeable to the narrowness of human views and the darkness of futurity to suppose that this daring usurper was guided by events, and did not as yet foresee with any assurance that unparalleled greatness which he afterwards attained. Many writers of that age have asserted<sup>48</sup> that he really intended to make a private bargain with the king—a measure which carried the most plausible appearance both for his safety and advancement, but that he found insuperable difficulties in reconciling to it the wild humors of the army. The horror and antipathy of these fanatics had for many years been artfully fomented against Charles; and though their principles were on all occasions easily warped and eluded by private interest, yet was some coloring requisite, and a flat contradiction to all former professions and tenets could not safely be proposed to them. It is certain, at least, that

<sup>47</sup> Rushworth, vol. viii. p. 810.

<sup>48</sup> See note [DD] at the end of the volume.

Cromwell made use of this reason why he admitted rarely of visits from the king's friends, and showed less favor than formerly to the royal cause. The agitators, he said, had rendered him odious to the army, and had represented him as a traitor who, for the sake of private interest, was ready to betray the cause of God to the great enemy of piety and religion. Desperate projects, too, he asserted to be secretly formed for the murder of the king; and he pretended much to dread lest all his authority, and that of the commanding officers, would not be able to restrain these enthusiasts from their bloody purposes.<sup>49</sup>

Intelligence being daily brought to the king of menaces thrown out by the agitators, he began to think of retiring from Hampton Court, and of putting himself in some place of safety. The guards were doubled upon him; the promiscuous concourse of people restrained; a more jealous care exerted in attending his person—all under color of protecting him from danger, but really with a view of making him uneasy in his present situation. These artifices soon produced the intended effect. Charles, who was naturally apt to be swayed by counsel, and who had not, then, access to any good counsel, took suddenly a resolution of withdrawing himself, though without any concerted, at least any rational, scheme for the future disposal of his person. Attended only by Sir John Berkeley, Ashburnham, and Leg, he privately left Hampton Court; and his escape was not discovered till near an hour after, when those who entered his chamber found on the table some letters directed to the Parliament, to the general, and to the officer who had attended him.<sup>50</sup> All night he travelled through the forest, and arrived next day at Tichfield, a seat of the Earl of Southampton's, where the countess-dowager resided, a woman of honor, to whom the king knew he might safely intrust his person.

Before he arrived at this place he had gone to the sea-coast, and expressed great anxiety that a ship which he seemed to look for had not arrived; and thence Berkeley and Leg, who were not in the secret, conjectured that his intention was to transport himself beyond sea.

The king could not hope to remain long concealed at Tichfield; what measure should next be embraced was the question. In the neighborhood lay the Isle of Wight, of which Hammond was governor. This man was entirely de-

<sup>49</sup> Clarendon, vol. v. p. 76.

<sup>50</sup> Rushworth, vol. viii. p. 871.

pendent on Cromwell. At his recommendation he had married a daughter of the famous Hambden, who, during his lifetime, had been an intimate friend of Cromwell's, and whose memory was ever respected by him. These circumstances were very unfavorable; yet, because the governor was nephew to Dr. Hammond, the king's favorite chaplain, and had acquired a good character in the army, it was thought proper to have recourse to him in the present exigency, when no other rational expedient could be thought of. Ashburnham and Berkeley were despatched to the island. They had orders not to inform Hammond of the place where the king was concealed till they had first obtained a promise from him not to deliver up his majesty, though the Parliament and the army should require him; but to restore him to his liberty, if he could not protect him. This promise, it is evident, would have been a very slender security; yet, even without exacting it, Ashburnham imprudently, if not treacherously, brought Hammond to Tichfield; and the king was obliged to put himself into his hands, and to attend him to Carisbroke Castle, in the Isle of Wight, where, though received with great demonstrations of respect and duty, he was in reality a prisoner.

Lord Clarendon<sup>51</sup> is positive that the king, when he fled from Hampton Court, had no intention of going to this island; and indeed all the circumstances of that historian's narrative, which we have here followed, strongly favor this opinion. But there remains a letter of Charles's to the Earl of Lanerick, Secretary of Scotland, in which he plainly intimates that that measure was voluntarily embraced; and even insinuates that, if he had thought proper, he might have been in Jersey, or any other place of safety.<sup>52</sup> Perhaps he still confided in the promises of the generals, and flattered himself that if he were removed from the fury of the agitators, by which his life was immediately threatened, they would execute what they had so often promised in his favor.

Whatever may be the truth in this matter, for it is impossible fully to ascertain the truth, Charles never took a weaker step, nor one more agreeable to Cromwell and all his enemies. He was now lodged in a place, removed from his partisans, at the disposal of the army, whence it would be very difficult to deliver him, either by force or artifice. And though it was always in the power of Cromwell, whenever

<sup>51</sup> Pp. 79, 80, etc.

<sup>52</sup> See note [EE] at the end of the volume.

he pleased, to have sent him thither, yet such a measure, without the king's consent, would have been very invidious, if not attended with some danger. That the king should voluntarily throw himself into the snare, and thereby gratify his implacable persecutors, was to them an incident peculiarly fortunate, and proved in the issue very fatal to him.

Cromwell, being now entirely master of the Parliament, and free from all anxiety with regard to the custody of the king's person, applied himself seriously to quell those disorders in the army which he himself had so artfully raised, and so successfully employed against both king and Parliament. In order to engage the troops into a rebellion against their masters, he had encouraged an arrogant spirit among the inferior officers and private men; and the camp, in many respects, carried more the appearance of civil liberty than of military obedience. The troops themselves were formed into a kind of republic; and the plans of imaginary republics, for the settlement of the state, were every day the topics of conversation among these armed legislators. Royalty it was agreed to abolish; nobility must be set aside; even all ranks of men be levelled; and a universal equality of property, as well as of power, be introduced among the citizens. The saints, they said, were the salt of the earth; an entire parity had place among the elect; and by the same rule that the apostles were exalted from the most ignoble professions, the meanest sentinel, if enlightened by the Spirit, was entitled to equal regard with the greatest commander. In order to wean the soldiers from these licentious maxims, Cromwell had issued orders for discontinuing the meetings of the agitators; and he pretended to pay entire obedience to the Parliament, whom, being now fully reduced to subjection, he purposed to make, for the future, the instruments of his authority. But the *Levellers*, for so that party in the army was called, having experienced the sweets of dominion, would not so easily be deprived of it. They secretly continued their meetings; they asserted that their officers, as much as any part of the Church or State, needed reformation; several regiments joined in seditious remonstrances and petitions;<sup>53</sup> separate rendezvous were concerted; and everything tended to anarchy and confusion. But this distemper was soon cured by the rough but dexterous hand of Cromwell. He chose the opportunity of a review, that he might display the greater boldness and spread the

<sup>53</sup> Rushworth, vol. viii. pp. 845, 859.



terror the wider. He seized the ringleaders before their companions, held in the field a council of war, shot one mutineer instantly, and struck such dread into the rest that they presently threw down the symbols of sedition which they had displayed, and thenceforth returned to their wonted discipline and obedience.<sup>54</sup>

Cromwell had great deference for the counsels of Ireton, a man who, having grafted the soldier on the lawyer, the statesman on the saint, had adopted such principles as were fitted to introduce the severest tyranny, while they seemed to encourage the most unbounded license in human society. Fierce in his nature, though probably sincere in his intentions, he purposed by arbitrary power to establish liberty, and in prosecution of his imagined religious purposes he thought himself dispensed from all the ordinary rules of morality by which inferior mortals must allow themselves to be governed. From his suggestion, Cromwell secretly called, at Windsor, a council of the chief officers, in order to deliberate concerning the settlement of the nation and the future disposal of the king's person.<sup>55</sup> In this conference, which commenced with devout prayers, poured forth by Cromwell himself, and other inspired persons (for the officers of this army received inspiration with their commissions), was first opened the daring and unheard-of counsel of bringing the king to justice, and of punishing, by judicial sentence, their sovereign for his pretended tyranny and maladministration. While Charles lived, even though restrained to the closest prison, conspiracies, they knew, and insurrections, would never be wanting in favor of a prince who was so extremely revered and beloved by his own party, and whom the nation in general began to regard with great affection and compassion. To murder him privately was exposed to the imputation of injustice and cruelty, aggravated by the baseness of such a crime; and every odious epithet of *traitor* and *assassin* would, by the general voice of mankind, be indisputably ascribed to the actors in such a villany. Some unexpected procedure must be attempted, which would astonish the world by its novelty, would bear the semblance of justice, and would cover its barbarity by the audaciousness of the enterprise. Striking in with the fanatical notions of the entire equality of mankind, it would insure the devoted obedience of the army,

<sup>54</sup> Rushworth, vol. viii. p. 875. Clarendon, vol. v. p. 87.

<sup>55</sup> Clarendon, vol. v. p. 92.

and serve as a general engagement against the royal family, whom, by their open and united deed, they would so heinously affront and injure.<sup>56</sup>

This measure, therefore, being secretly resolved on, it was requisite, by degrees, to make the Parliament adopt it, and to conduct them from violence to violence, till this last act of atrocious iniquity should seem in a manner wholly inevitable. The king, in order to remove those fears and jealousies which were perpetually pleaded as reasons for every invasion of the constitution, had offered, by a message sent from Carisbroke Castle, to resign, during his own life, the power of the militia and the nomination to all the great offices; provided that, after his demise, these prerogatives should revert to the crown.<sup>57</sup> But the Parliament acted entirely as victors and enemies; and, in all their transactions with him, paid no longer any regard to equity or reason. At the instigation of the Independents and army, they neglected this offer, and framed four proposals, which they sent him as preliminaries; and before they would deign to treat, they demanded his positive assent to all of them. By one he was required to invest the Parliament with the military power for twenty years, together with an authority to levy whatever money should be necessary for exercising it; and, even after the twenty years should be elapsed, they reserved a right of resuming the same authority whenever they should declare the safety of the kingdom to require it. By the second, he was to recall all his proclamations and declarations against the Parliament, and acknowledge that assembly to have taken arms in their just and necessary defence. By the third, he was to annul all the acts and void all the patents of peerage which had passed the great seal since it had been carried from London by Lord Keeper Littleton; and, at the same time, renounce for the future the power of making peers without consent of Parliament. By the fourth, he gave the two Houses power to adjourn as they thought proper—a demand seemingly of no great importance, but contrived by the Independents that they might be able to remove the Parliament to places where it should remain in perpetual subjection to the army.<sup>58</sup>

<sup>56</sup> The following was a favorite text among the enthusiasts of that age: "Let the high praises of God be in the mouths of his saints, and a two-edged sword in their hand; to execute vengeance upon the heathen, and punishments upon the people; to bind their kings with chains, and their nobles with fetters of iron; to execute upon them the judgment written: this honor have all his saints."—Psalms cxlix. 6, 7, 8, 9. Hugh Peters, the mad chaplain of Cromwell, preached frequently upon this text. <sup>57</sup> Rushworth, vol. viii. p. 880. <sup>58</sup> Clarendon, vol. v. p. 88.

[1648.] The king regarded the pretension as unusual and exorbitant that he should make such concessions, while not secure of any settlement, and should blindly trust his enemies for the conditions which they were afterwards to grant him. He required, therefore, a personal treaty with the Parliament, and desired that all the terms on both sides should be adjusted before any concession on either side should be insisted on. The republican party in the House pretended to take fire at this answer; and openly inveighed, in violent terms, against the person and government of the king, whose name hitherto had commonly, in all debates, been mentioned with some degree of reverence. Ireton, seeming to speak the sense of the army, under the appellation of many thousand godly men who had ventured their lives in defence of the Parliament, said that the king, by denying the four bills, had refused safety and protection to his people; that their obedience to him was but a reciprocal duty for his protection of them; and that, as he had failed on his part, they were freed from all obligations to allegiance, and must settle the nation without consulting any longer so misguided a prince.<sup>59</sup> Cromwell, after giving an ample character of the valor, good affections, and godliness of the army, subjoined that it was expected the Parliament should guide and defend the kingdom by their own power and resolutions, and not accustom the people any longer to expect safety and government from an obstinate man, whose heart God had hardened; that those who, at the expense of their blood, had hitherto defended the Parliament from so many dangers would still continue, with fidelity and courage, to protect them against all opposition in this vigorous measure. "Teach them not," added he, "by your neglecting your own safety and that of the kingdom (in which theirs too is involved), to imagine themselves betrayed, and their interests abandoned to the rage and malice of an irreconcilable enemy, whom, for your sake, they have dared to provoke. Beware," and at these words he laid his hand on his sword—"beware, lest despair cause them to seek safety by some other means than by adhering to you, who know not how to consult your own safety."<sup>60</sup> Such arguments prevailed, though ninety-one members had still the courage to oppose. It was voted that no more addresses be made to the king, nor any letters or messages be received from him; and that it be treason for any one, without leave

<sup>59</sup> Clement Walker, p. 70.

<sup>60</sup> Ibid.

of the two Houses, to have any intercourse with him. The Lords concurred in the same ordinance.<sup>61</sup>

By this vote of non-addresses (so it was called) the king was in reality dethroned, and the whole constitution formally overthrown. So violent a measure was supported by a declaration of the Commons no less violent. The blackest calumnies were there thrown upon the king, such as, even in their famous remonstrance, they thought proper to omit as incredible and extravagant—the poisoning of his father, the betraying of Rochelle, the contriving of the Irish massacre.<sup>62</sup> By blasting his fame, had that injury been in their power, they formed a very proper prelude to the executing of violence on his person.

No sooner had the king refused his assent to the four bills than Hammond, by orders from the army, removed all his servants, cut off his correspondence with his friends, and shut him up in close confinement. The king afterwards showed to Sir Philip Warwick a decrepit old man, who, he said, was employed to kindle his fire, and was the best company he enjoyed during several months that this rigorous confinement lasted.<sup>63</sup> No amusement was allowed him, nor society, which might relieve his anxious thoughts. To be speedily poisoned or assassinated was the only prospect which he had every moment before his eyes, for he entertained no apprehension of a judicial sentence and execution—an event of which no history hitherto furnished an example. Meanwhile the Parliament was very industrious in publishing from time to time the intelligence which they received from Hammond: how cheerful the king was, how pleased with every one that approached him, how satisfied in his present condition;<sup>64</sup> as if the view of such benignity and constancy had not been more proper to inflame than allay the general compassion of the people. The great source whence the king derived consolation amid all his calamities was undoubtedly religion—a principle which in him seems to have contained nothing fierce or gloomy, nothing which enraged him against his adversaries, or terrified him with the dismal prospect of futurity. While everything around him bore a hostile aspect, while friends, family relations, whom he passionately loved, were placed at a distance and unable to serve him, he reposed himself with confidence in

<sup>61</sup> Rushworth, vol. viii. pp. 965, 967.

<sup>62</sup> Rushworth, vol. viii. p. 998. Clarendon, vol. v. p. 93.

<sup>63</sup> Warwick, p. 329.

<sup>64</sup> Rushworth, vol. viii. p. 989.



the arms of that Being who penetrates and sustains all nature, and whose severities, if received with piety and resignation, he regarded as the surest pledges of unexhausted favor.

The Parliament and army, meanwhile, enjoyed not in tranquillity that power which they had obtained with so much violence and injustice. Combinations and conspiracies, they were sensible, were everywhere forming around them; and Scotland, whence the king's cause had received the first fatal disaster, seemed now to promise its support and assistance.

Before the surrender of the king's person at Newcastle, and much more since that event, the subjects of discontent had been daily multiplying between the two kingdoms. The Independents, who began to prevail, took all occasions of mortifying the Scots, whom the Presbyterians looked on with the greatest affection and veneration. When the Scottish commissioners who, joined to a committee of English Lords and Commons, had managed the war were ready to depart, it was proposed in Parliament to give them thanks for their civilities and good offices. The Independents insisted that the words *good offices* should be struck out; and thus the whole brotherly friendship and intimate alliance with the Scots resolved itself into an acknowledgment of their being well-bred gentlemen.

The advance of the army to London, the subjection of the Parliament, the seizing of the king at Holdenby, his confinement in Carisbroke Castle, were so many blows sensibly felt by that nation, as threatening the final overthrow of Presbytery, to which they were so passionately devoted. The covenant was profanely called in the House of Commons an almanac out of date,<sup>65</sup> and that impiety, though complained of, had passed uncensured. Instead of being able to determine and establish orthodoxy by the sword and by penal statutes, they saw the sectarian army, who were absolute masters, claim an unbounded liberty of conscience which the Presbyterians regarded with the utmost abhorrence. All the violences put on the king they loudly blamed as repugnant to the covenant, by which they stood engaged to defend his royal person. And those very actions, of which they themselves had been guilty, they denominated treason and rebellion when executed by an opposite party.

The Earls of Loudon, Lauderdale, and Lanerie, who were sent to London, protested against the four bills as

<sup>65</sup> Clement Walker, p. 80.

containing too great a diminution of the king's civil power, and providing no security for religion. They complained that, notwithstanding this protestation, the bills were still insisted on, contrary to the solemn league and to the treaty between the two nations. And when they accompanied the English commissioners to the Isle of Wight, they secretly formed a treaty with the king for arming Scotland in his favor.<sup>66</sup>

Three parties at that time prevailed in Scotland—the *royalists*, who insisted upon the restoration of the king's authority without any regard to religious sects or tenets: of these Montrose, though absent, was regarded as the head. The *rigid Presbyterians*, who hated the king even more than they abhorred toleration, and who determined to give him no assistance till he should subscribe the covenant: these were governed by Argyle. The *moderate Presbyterians*, who endeavored to reconcile the interests of religion and of the crown, and hoped by supporting the Presbyterian party in England to suppress the sectarian army, and to reinstate the Parliament as well as the king in their just freedom and authority: the two brothers Hamilton and Laneric were leaders of this party.

When Pendennis Castle was surrendered to the parliamentary army, Hamilton, who then obtained his liberty, returned into Scotland; and being generously determined to remember ancient favors more than recent injuries, he immediately embraced, with zeal and success, the protection of the royal cause. He obtained a vote from the Scottish Parliament to arm forty thousand men in support of the king's authority, and to call over a considerable body under Monro, who commanded the Scottish forces in Ulster; and, though he openly protested that the covenant was the foundation of all his measures, he secretly entered into correspondence with the English royalists, Sir Marmaduke Langdale and Sir Philip Musgrave, who had levied considerable forces in the North of England.

The general assembly, who sat at the same time, and was guided by Argyle, dreaded the consequence of these measures, and foresaw that the opposite party, if successful, would effect the restoration of monarchy without the establishment of Presbytery in England. To join the king before he had subscribed the covenant was, in their eyes, to restore him to his honor before Christ had obtained his;<sup>67</sup>

<sup>66</sup> Clarendon, vol. v. p. 101.

<sup>67</sup> Whitlocke, p. 305.

and they thundered out anathemas against every one who paid obedience to the Parliament. Two supreme independent judicatures were erected in the kingdom ; one threatening the people with damnation and eternal torments, the other with imprisonment, banishment, and military execution. The people were distracted in their choice ; and the armament of Hamilton's party, though seconded by all the civil power, went on but slowly. The royalists he would not as yet allow to join him, lest he might give offence to the ecclesiastical party, though he secretly promised them trust and preferment as soon as his army should advance into England.

While the Scots were making preparations for the invasion of England, every part of that kingdom was agitated with tumults, insurrections, conspiracies, discontents. It is seldom that the people gain anything by revolutions in government, because the new settlement, jealous and insecure, must commonly be supported with more expense and severity than the old ; but on no occasion was the truth of this maxim more sensibly felt than in the present situation of England. Complaints against the oppression of ship-money, against the tyranny of the Star-chamber, had roused the people to arms ; and having gained a complete victory over the crown, they found themselves loaded with a multiplicity of taxes formerly unknown ; and scarcely an appearance of law and liberty remained in the administration. The Presbyterians, who had chiefly supported the war, were enraged to find the prize, just when it seemed within their reach, snatched by violence from them. The royalists, disappointed in their expectations by the cruel treatment which the king now received from the army, were strongly animated to restore him to liberty, and to recover the advantages which they had unfortunately lost. All orders of men were inflamed with indignation at seeing the military prevail over the civil power, and king and Parliament at once reduced to subjection by a mercenary army. Many persons of family and distinction had from the beginning of the war adhered to the Parliament ; but all these were by the new party deprived of authority, and every office was intrusted to the most ignoble part of the nation. A base populace exalted above their superiors, hypocrites exercising iniquity under the visor of religion ; these circumstances promised not much liberty or lenity to the people, and these were now found united in the same usurped and illegal administration.

Though the whole nation seemed to combine in their hatred of military tyranny, the ends which the several parties pursued were so different that little concert was observed in their insurrection. Langhorne, Poyer, and Powel, Presbyterian officers who commanded bodies of troops in Wales, were the first that declared themselves, and they drew together a considerable army in those parts which were extremely devoted to the royal cause. An insurrection was raised in Kent by young Hales and the Earl of Norwich. Lord Capel, Sir Charles Lucas, Sir George Lisle, excited commotions in Essex. The Earl of Holland, who had several times changed sides since the commencement of the civil wars, endeavored to assemble forces in Surrey. Pomfret Castle, in Yorkshire, was surprised by Maurice. Langdale and Musgrave were in arms, and masters of Berwick and Carlisle in the north.

What seemed the most dangerous circumstance, the general spirit of discontent had seized the fleet. Seventeen ships lying in the mouth of the river declared for the king; and putting Rainsborow, their admiral, ashore, sailed over to Holland, where the Prince of Wales took the command of them.<sup>68</sup>

The English royalists exclaimed loudly against Hamilton's delays, which they attributed to a refined policy in the Scots, as if their intentions were that all the king's party should first be suppressed and the victory remain solely to the Presbyterians. Hamilton, with better reason, complained of the precipitate humor of the English royalists, who, by their ill-timed insurrections, forced him to march his army before his levies were completed or his preparations in any forwardness.

No commotions beyond a tumult of the apprentices, which was soon suppressed, were raised in London: the terror of the army kept the citizens in subjection. The Parliament was so overawed that they declared the Scots to be enemies, and all who joined them traitors. Ninety members, however, of the lower House had the courage to dissent from this vote.

Cromwell and the military council prepared themselves with vigor and conduct for defence. The establishment of the army was at this time twenty-six thousand men, but by enlisting supernumeraries the regiments were greatly augmented, and commonly consisted of more than double their

<sup>68</sup> Clarendon, vol. v. p. 137.



stated complement.<sup>69</sup> Colonel Horton first attacked the revolted troops in Wales, and gave them a considerable defeat. The remnants of the vanquished threw themselves into Pembroke and were there closely besieged, and soon after taken by Cromwell. Lambert was opposed to Langdale and Musgrave in the north, and gained advantages over them. Sir Michael Livesey defeated the Earl of Holland at Kingston and, pursuing his victory, took him prisoner at St. Neot's. Fairfax, having routed the Kentish royalists at Maidstone, followed the broken army; and when they joined the royalists of Essex and threw themselves into Colchester, he laid siege to that place, which defended itself to the last extremity. A new fleet was manned and sent out under the command of Warwick to oppose the revolted ships, of which the prince had taken the command.

While the forces were employed in all quarters, the Parliament regained its liberty, and began to act with its wonted courage and spirit. The members who had withdrawn, from terror of the army, returned, and, infusing boldness into their companions, restored to the Presbyterian party the ascendant which it had formerly lost. The eleven impeached members were recalled, and the vote by which they were expelled was reversed. The vote, too, of non-addresses was repealed, and commissioners (five peers and ten commoners) were sent to Newport, in the Isle of Wight, in order to treat with the king.<sup>70</sup> He was allowed to summon several of his friends and old counsellors, that he might have their advice in this important transaction.<sup>71</sup> The theologians on both sides, armed with their syllogisms and quotations, attended as auxiliaries.<sup>72</sup> By them the flame had first been raised, and their appearance was but a bad prognostic of its extinction. Any other instruments seemed better adapted for a treaty of pacification.

When the king presented himself to this company, a great and sensible alteration was remarked in his aspect from what it appeared the year before when he resided at Hampton Court. The moment his servants had been removed, he had laid aside all care of his person, and had allowed his beard and hair to grow and to hang dishevelled and neglected. His hair was become almost entirely gray,

<sup>69</sup> Whitlocke, p. 284.

<sup>70</sup> Clarendon, vol. v. p. 180. Sir Edward Walker's *Perfect Copies*, p. 6.

<sup>71</sup> Sir Edward Walker's *Perfect Copies*, p. 8.

<sup>72</sup> Sir Edward Walker's *Perfect Copies*, pp. 8, 38.

either from the decline of years, or from that load of sorrows under which he labored, and which, though borne with constancy, preyed inwardly on his sensible and tender mind. His friends beheld with compassion, and perhaps even his enemies, that "gray and discrowned head," as he himself terms it in a copy of verses, which the truth of the sentiment, rather than any elegance of expression, renders very pathetic.<sup>73</sup> Having in vain endeavored by courage to defend his throne from his armed adversaries, it now behooved him, by reasoning and persuasion, to save some fragments of it from these peaceful and no less implacable negotiators.

The vigor of the king's mind, notwithstanding the seeming decline of his body, here appeared unbroken and undecayed. The parliamentary commissioners would allow none of his counsel to be present, and refused to enter into reasoning with any but himself. He alone, during the transactions of two months, was obliged to maintain the argument against fifteen men of the greatest parts and capacity in both Houses; and no advantage was ever obtained over him.<sup>74</sup> This was the scene above all others in which he was qualified to excel. A quick conception, a cultivated understanding, a chaste elocution, a dignified manner—by these accomplishments he triumphed in all discussions of cool and temperate reasoning. "The king is much changed," said the Earl of Salisbury to Sir Philip Warwick; "he is extremely improved of late." "No," replied Sir Philip; "he was always so; but you are now at last sensible of it."<sup>75</sup> Sir Henry Vane, discoursing with his fellow-commissioners, drew an argument from the king's uncommon abilities why the terms of pacification must be rendered more strict and rigid.<sup>76</sup> But Charles's capacity shone not equally in action as in reasoning.

The first point insisted on by the parliamentary commissioners was the king's recalling all his proclamations and declarations against the Parliament, and the acknowledging that they had taken arms in their own defence. He frankly offered the former concession, but long scrupled the latter. The falsehood as well as indignity of that acknowledgment begat in his breast an extreme reluctance against it. The king had, no doubt, in some particulars of moment, invaded, from a seeming necessity, the privileges

<sup>73</sup> Burnet's *Memoirs of Hamilton*.

<sup>75</sup> Warwick, p. 324.

<sup>74</sup> Herbert's *Memoirs*, p. 72.

<sup>76</sup> Clarendon. Walker, p. 319.

of his people; but having renounced all claim to these usurped powers, having confessed his errors, and having repaired every breach in the constitution, and even erected new ramparts in order to secure it, he could no longer, at the commencement of the war, be represented as the aggressor. However it might be pretended that the former display of his arbitrary inclinations, or rather his monarchical principles, rendered an offensive or preventive war in the Parliament prudent and reasonable, it could never, in any propriety of speech, make it be termed a defensive one. But the Parliament, sensible that the letter of the law condemned them as rebels and traitors, deemed this point absolutely necessary for their future security; and the king, finding that peace could be obtained on no other terms, at last yielded to it. He only entered a protest, which was admitted, that no concession made by him should be valid unless the whole treaty of pacification were concluded.<sup>77</sup>

He agreed that the Parliament should retain, during the term of twenty years, the power over the militia and army, and that of levying what money they pleased for their support. He even yielded to them the right of resuming, at any time afterwards, this authority, whenever they should declare such a resumption necessary for public safety. In effect, the important power of the sword was forever ravished from him and his successors.<sup>78</sup>

He agreed that all the great offices, during twenty years, should be filled by both Houses of Parliament.<sup>79</sup> He relinquished to them the entire government of Ireland and the conduct of the war there.<sup>80</sup> He renounced the power of the wards, and accepted of one hundred thousand pounds a year in lieu of it.<sup>81</sup> He acknowledged the validity of their great seal, and gave up his own.<sup>82</sup> He abandoned the power of erecting peers without the consent of Parliament, and he agreed that all the debts, contracted in order to support the war against him, should be paid by the people.

So great were the alterations made on the English constitution by this treaty that the king said, not without reason, that he had been more an enemy to his people by these concessions, could he have prevented them, than by any other action of his life.

Of all the demands of the Parliament Charles refused only two. Though he relinquished almost every power of

<sup>77</sup> Walker, pp. 11, 12, 24.  
<sup>80</sup> Walker, p. 45.

<sup>78</sup> Walker, p. 51.  
<sup>81</sup> Walker, pp. 69, 77.

<sup>79</sup> Walker, p. 78.  
<sup>82</sup> Walker, pp. 56, 68.

the crown, he would neither give up his friends to punishment nor desert what he esteemed his religious duty. The severe repentance which he had undergone for abandoning Strafford had, no doubt, confirmed him in the resolution never again to be guilty of a like error. His long solitude and severe afflictions had contributed to rivet him the more in those religious principles which had ever a considerable influence over him. His desire, however, of finishing an accommodation, induced him to go as far in both these particulars as he thought anywise consistent with his duty.

The estates of the royalists, being at that time almost entirely under sequestration, Charles, who could give them no protection, consented that they should pay such compositions as they and the Parliament could agree on, and only begged that they might be made as moderate as possible. He had not the disposal of offices, and it seemed but a small sacrifice to consent that a certain number of his friends should be rendered incapable of public employments.<sup>83</sup> But when the Parliament demanded a bill of attainder and banishment against seven persons, the Marquis of Newcastle, Lord Digby, Lord Biron, Sir Marmaduke Langdale, Sir Richard Granville, Sir Francis Doddington, and Judge Jenkins, the king absolutely refused compliance; their banishment for a limited time he was willing to agree to.<sup>84</sup>

Religion was the fatal point about which the differences had arisen, and of all others it was the least susceptible of composition or moderation between the contending parties. The Parliament insisted on the establishment of Presbytery, the sale of the chapter lands, the abolition of all forms of prayer, and strict laws against Catholics. The king offered to retrench everything which he did not esteem of apostolical institution; he was willing to abolish archbishops, deans, prebends, canons; he offered that the chapter lands should be let at low leases during ninety-nine years; he consented that the present Church government should continue during three years.<sup>85</sup> After that time, he required not that anything should be restored to bishops but the power of ordination, and even that power to be exercised by advice of the presbyters.<sup>86</sup> If the Parliament, upon the expiration of that period, still insisted on their demand, all other branches of episcopal jurisdiction were abolished, and a new form of

<sup>83</sup> Walker, p. 61.<sup>86</sup> Walker, p. 65.<sup>84</sup> Walker, pp. 61, 93.<sup>85</sup> Walker, pp. 29, 35, 49.



Church government must, by common consent, be established. The Book of Common Prayer he was willing to renounce, but required the liberty of using some other liturgy in his own chapel<sup>87</sup>—a demand which, though seemingly reasonable, was positively refused by the Parliament.

In the dispute on these articles, one is not surprised that two of the parliamentary theologians should tell the king "that if he did not consent to the utter abolition of episcopacy, he would be damned." But it is not without some indignation that we read the following vote of the Lords and Commons: "The Houses, out of their detestation to that abominable idolatry used in the mass, do declare that they cannot admit of, or consent unto, any such indulgence in any law, as is desired by his majesty, for exempting the queen and her family from the penalties to be enacted against the exercise of the mass."<sup>88</sup> The treaty of marriage, the regard to the queen's sex and high station, even common humanity—all considerations were undervalued in comparison of their bigoted prejudices.<sup>89</sup>

It was evidently the interest both of king and Parliament to finish their treaty with all expedition, and endeavor, by their combined force, to resist, if possible, the usurping fury of the army. It seemed even the interest of the Parliament to leave in the king's hand a considerable share of authority, by which he might be enabled to protect them and himself from so dangerous an enemy. But the terms on which they insisted were so rigorous that the king, fearing no worse from the most implacable enemies, was in no haste to come to a conclusion. And so great was the bigotry on both sides that they were willing to sacrifice the greatest civil interests rather than relinquish the most minute of their theological contentions. From these causes, assisted by the artifice of the Independents, the treaty was spun out to such a length that the invasions and insurrections were everywhere subdued, and the army had leisure to execute their violent and sanguinary purposes.

Hamilton, having entered England with a numerous though undisciplined army, durst not unite his forces with those of Langdale, because the English royalists had refused to take the covenant, and the Scottish Presbyterians, though engaged for the king, refused to join them on any other terms. The two armies marched together, though at

<sup>87</sup> Walker, pp. 75, 82. Rushworth, vol. viii. p. 1323.

<sup>88</sup> Walker, p. 71.

<sup>89</sup> See note [FF] at the end of the volume.

some distance; nor could even the approach of the parliamentary army, under Cromwell, oblige the Covenanters to consult their own safety by a close union with the royalists. When principles are so absurd and so destructive of human society, it may safely be averred that the more sincere and the more disinterested they are, they only become the more ridiculous and the more odious.

Cromwell feared not to oppose eight thousand men to the numerous armies of twenty thousand commanded by Hamilton and Langdale. He attacked the latter by surprise near Preston, in Lancashire,<sup>90</sup> and though the royalists made a brave resistance, yet, not being succored in time by their confederates, they were almost entirely cut in pieces. Hamilton was next attacked, put to rout, and pursued to Utoxeter, where he surrendered himself prisoner. Cromwell followed his advantage, and, marching into Scotland with a considerable body, joined Argyle, who was also in arms; and having suppressed Lanerie, Munro, and other moderate Presbyterians, he placed the power entirely in the hands of the violent party. The ecclesiastical authority, exalted above the civil, exercised the severest vengeance on all who had a share in Hamilton's engagement, as it was called; nor could any of that party recover trust, or even live in safety, but by doing solemn and public penance for taking arms, by authority of Parliament, in defence of their lawful sovereign.

The Chancellor Loudon, who had at first countenanced Hamilton's enterprise, being terrified with the menaces of the clergy, had some time before gone over to the other party; and he now openly in the church, though invested with the highest civil character in the kingdom, did penance for his obedience to the Parliament, which he termed a "carnal self-seeking." He accompanied his penance with so many tears, and such pathetic addresses to the people for their prayers in this his uttermost sorrow and distress, that a universal weeping and lamentation took place among the deluded audience.<sup>91</sup>

The loan of great sums of money, often to the ruin of families, was exacted from all such as lay under any suspicion of favoring the king's party, though their conduct had been ever so inoffensive. This was a device fallen upon by the ruling party, in order, as they said, to reach *heart malignants*.<sup>92</sup> Never, in this island, was known a

<sup>90</sup> August 17.<sup>91</sup> Whitlocke, p. 360.<sup>92</sup> Guthry.

more severe and arbitrary government than was generally exercised by the patrons of liberty in both kingdoms.

The siege of Colchester terminated in a manner no less unfortunate than Hamilton's engagement for the royal cause. After suffering the utmost extremities of famine, after feeding on the vilest aliments, the garrison desired, at last, to capitulate. Fairfax required them to surrender at discretion; and he gave such an explanation to these terms as to reserve to himself power, if he pleased, to put them all instantly to the sword. The officers endeavored, though in vain, to persuade the soldiers, by making a vigorous sally, to break through, at least to sell their lives as dearly as possible. They were obliged<sup>93</sup> to accept of the conditions offered; and Fairfax, instigated by Ireton, to whom Cromwell, in his absence, had consigned over the government of the passive general, seized Sir Charles Lucas and Sir George Lisle, and resolved to make them instant sacrifices to military justice. This unusual severity was loudly exclaimed against by all the prisoners. Lord Capel, fearless of danger, reproached Ireton with it, and challenged him, as they were all engaged in the same honorable cause, to exercise the same impartial vengeance on all of them. Lucas was first shot, and he himself gave orders to fire, with the same alacrity as if he had commanded a platoon of his own soldiers. Lisle instantly ran and kissed the dead body, then cheerfully presented himself to a like fate. Thinking that the soldiers destined for his execution stood at too great a distance, he called to them to come nearer. One of them replied, "I'll warrant you, sir, we'll hit you." He answered, smiling, "Friends, I have been nearer you when you have missed me." Thus perished this generous spirit, not less beloved for his modesty and humanity than esteemed for his courage and military conduct.

Soon after, a gentleman appearing in the king's presence clothed in mourning for Sir Charles Lucas, that humane prince, suddenly recollecting the hard fate of his friends, paid them a tribute, which none of his own unparalleled misfortunes ever extorted from him. He dissolved into a flood of tears.<sup>94</sup>

By these multiplied successes of the army they had subdued all their enemies, and none remained but the helpless king and Parliament to oppose their violent measures. From Cromwell's suggestion a remonstrance was drawn by

<sup>93</sup> August 18.

<sup>94</sup> Whitlocke.

the council of general officers and sent to the Parliament. They there complain of the treaty with the king; demand his punishment for the blood spilled during the war; require a dissolution of the present Parliament, and a more equal representation for the future; and assert that, though servants, they are entitled to represent these important points to their masters, who are themselves no better than servants and trustees of the people. At the same time they advanced with the army to Windsor, and sent Colonel Eure to seize the king's person at Newport, and convey him to Hurst Castle in the neighborhood, where he was detained in strict confinement.

This measure being foreseen some time before, the king was exhorted to make his escape, which was conceived to be very easy; but having given his word to the Parliament not to attempt the recovery of his liberty during the treaty, and three weeks after, he would not, by any persuasion, be induced to hazard the reproach of violating that promise. In vain was it urged that a promise given to the Parliament could no longer be binding, since they could no longer afford him protection from violence threatened him by other persons to whom he was bound by no tie or engagement. The king would indulge no refinements of casuistry, however plausible, in such delicate subjects; and was resolved that what depredations soever fortune should commit upon him, she never should bereave him of his honor.<sup>95</sup>

The Parliament lost not courage, notwithstanding the danger with which they were so nearly menaced. Though without any plan for resisting military usurpations, they resolved to withstand them to the uttermost, and rather to bring on a violent and visible subversion of government than lend their authority to those illegal and sanguinary measures which were projected. They set aside the remonstrance of the army, without deigning to answer it; they voted the seizing of the king's person to be without their consent, and sent a message to the general to know by what authority that enterprise had been executed, and they issued orders that the army should advance no nearer to London.

Hollis, the present leader of the Presbyterians, was a man of unconquerable intrepidity, and many others of that party seconded his magnanimous spirit. It was proposed by them that the generals and principal officers should, for

<sup>95</sup> Colonel Cooke's Memoirs, p. 174. Rushworth, vol. viii. p. 1347.



their disobedience and usurpations, be proclaimed traitors by the Parliament.

But the Parliament was dealing with men who would not be frightened by words nor retarded by any scrupulous delicacy. The generals, under the name of Fairfax (for he still allowed them to employ his name), marched the army to London, and, placing guards in Whitehall, the Mews, St. James's, Durham House, Covent Garden, and Palace Yard, surrounded the Parliament with their hostile armaments.

The Parliament, destitute of all hopes of prevailing, retained, however, courage to resist. They attempted, in the face of the army, to close their treaty with the king; and though they had formerly voted his concessions with regard to the Church and delinquents to be unsatisfactory, they now took into consideration the final resolution with regard to the whole. After a violent debate of three days, it was carried by a majority of one hundred and twenty-nine against eighty-three, in the House of Commons, that the king's concessions were a foundation for the Houses to proceed upon in the settlement of the kingdom.

Next day, when the Commons were to meet, Colonel Pride, formerly a drayman, had environed the House with two regiments; and, directed by Lord Grey of Groby, he seized in the passage forty-one members of the Presbyterian party and sent them to a low room, which passed by the appellation of *hell*, whence they were afterwards carried to several inns. Above one hundred and sixty members more were excluded; and none were allowed to enter but the most furious and the most determined of the Independents, and these exceeded not the number of fifty or sixty. This invasion of the Parliament commonly passed under the name of *Colonel Pride's purge*, so much disposed was the nation to make merry with the dethroning of those members who had violently arrogated the whole authority of government and deprived the king of his legal prerogatives.

The subsequent proceedings of the Parliament, if this diminutive assembly deserve that honorable name, retain not the least appearance of law, equity, or freedom. They instantly reversed the former vote and declared the king's concessions unsatisfactory. They determined that no member, absent at this last vote, should be received till he subscribed it as agreeable to his judgment. They renewed their former vote of non-addresses. And they committed to prison Sir William Waller, Sir John Clotworthy, the

generals Massey, Brown, Copley, and other leaders of the Presbyterians. These men, by their credit and authority, which was then very high, had, at the commencement of the war, supported the Parliament, and thereby prepared the way for the greatness of the present leaders, who, at that time, were of small account in the nation.

The secluded members having published a paper containing a narrative of the violence which had been exercised upon them, and a protestation that all acts were void which from that time had been transacted in the House of Commons, the remaining members encountered it with a declaration, in which they pronounced it false, scandalous, seditious, and tending to the destruction of the visible and fundamental government of the kingdom.

The sudden and violent revolutions held the whole nation in terror and astonishment. Every man dreaded to be trampled under foot, in the contention between those mighty powers which disputed for the sovereignty of the state. Many began to withdraw their effects beyond sea; foreigners scrupled to give any credit to a people so torn by domestic faction and oppressed by military usurpation; even the internal commerce of the kingdom began to stagnate. And in order to remedy these growing evils the generals, in the name of the army, published a declaration, in which they expressed their resolution of supporting law and justice.<sup>96</sup>

The more to quiet the minds of men, the council of officers took into consideration a scheme called *the agreement of the people*, being the plan of a republic to be substituted in the place of that government which they had so violently pulled in pieces. Many parts of this scheme for correcting the inequalities of the representative are plausible, had the nation been disposed to receive it, or had the army intended to impose it. Other parts are too perfect for human nature, and savor strongly of that fanatical spirit so prevalent throughout the kingdom.

The height of all iniquity and fanatical extravagance yet remained—the public trial and execution of the sovereign. To this period was every measure precipitated by the zealous Independents. The parliamentary leaders of that party had intended that the army themselves should execute that daring enterprise; and they deemed so irregular and lawless a deed best fitted to such irregular and lawless

<sup>96</sup> Rushworth, vol. viii. p. 1364.

instruments.<sup>97</sup> But the generals were too wise to load themselves singly with the infamy which they knew must attend an action so shocking to the general sentiments of mankind. The Parliament, they were resolved, should share with them the reproach of a measure which was thought requisite for the advancement of their common ends of safety and ambition. In the House of Commons, therefore, a committee was appointed to bring in a charge against the king. On their report a vote passed declaring it treason in a king to levy war against his Parliament and appointing a high court of justice to try Charles for this new-invented treason. This vote was sent up to the House of Peers.

The House of Peers, during the civil wars, had all along been of small account; but it had lately, since the king's fall, become totally contemptible, and very few members would submit to the mortification of attending it. It happened that day to be fuller than usual, and they were assembled to the number of sixteen. Without one dissenting voice, and almost without deliberation, they instantly rejected the vote of the lower House and adjourned themselves for ten days, hoping that this delay would be able to retard the furious career of the Commons.

[1649.] The Commons were not to be stopped by so small an obstacle. Having first established a principle which is noble in itself and seems specious, but is belied by all history and experience, *that the people are the origin of all just power*, they next declared that the Commons of England, assembled in Parliament, being chosen by the people, and representing them, are the supreme authority of the nation, and that whatever is enacted and declared to be law by the Commons hath the force of law, without the consent of king or House of Peers. The ordinance for the trial of Charles Stuart, King of England, so they called him, was again read, and unanimously assented to.

In proportion to the enormity of the violences and usurpations were augmented the pretences of sanctity among those regicides. "Should any one have voluntarily proposed," said Cromwell in the House, "to bring the king to punishment, I should have regarded him as the greatest traitor; but, since Providence and necessity have cast us upon it, I will pray to God for a blessing on your counsels, though I am not prepared to give you any advice on this

important occasion. Even I myself," subjoined he, "when I was lately offering up petitions for his majesty's restoration, felt my tongue cleave to the roof of my mouth, and considered this preternatural movement as the answer which Heaven, having rejected the king, had sent to my supplications."

A woman of Hertfordshire, illuminated by prophetic visions, desired admittance into the military council, and communicated to the officers a revelation which assured them that their measures were consecrated from above and ratified by a heavenly sanction. This intelligence gave them great comfort and much confirmed them in their present resolutions.<sup>98</sup>

Colonel Harrison, the son of a butcher, and the most furious enthusiast in the army, was sent with a strong party to conduct the king to London. At Windsor, Hamilton, who was there detained a prisoner, was admitted into the king's presence; and, falling on his knees, passionately exclaimed, "My dear master!" "I have indeed been so to you," replied Charles, embracing him. No further intercourse was allowed between them. The king was instantly hurried away. Hamilton long followed him with his eyes, all suffused in tears, and prognosticated that in this short salutation he had given the last adieu to his sovereign and his friend.

Charles himself was assured that the period of his life was now approaching; but, notwithstanding all the preparations which were making and the intelligence which he received, he could not even yet believe that his enemies really meant to conclude their violences by a public trial and execution. A private assassination he every moment looked for; and, though Harrison assured him that his apprehensions were entirely groundless, it was by that catastrophe, so frequent with dethroned princes, that he expected to terminate his life. In appearance, as well as in reality, the king was now dethroned. All the exterior symbols of sovereignty were withdrawn, and his attendants had orders to serve him without ceremony. At first he was shocked with instances of rudeness and familiarity, to which he had been so little accustomed. *Nothing so contemptible as a despised prince!* was the reflection which they suggested to him. But he soon reconciled his mind to this, as he had done to his other calamities.

<sup>98</sup> Whitlocke, p. 360.



All the circumstances of the trial were now adjusted; and the high court of justice fully constituted. It consisted of one hundred and thirty-three persons as named by the Commons; but there scarcely ever sat above seventy—so difficult was it, notwithstanding the blindness of prejudice and the allurements of interest, to engage men of any name or character in that criminal measure. Cromwell, Ireton, Harrison, and the chief officers of the army, most of them of mean birth, were members, together with some of the lower House, and some citizens of London. The twelve judges were at first appointed in the number; but, as they had affirmed that it was contrary to all the ideas of English law to try the king for treason, by whose authority all accusations for treason must necessarily be conducted, their names, as well as those of some peers, were afterwards struck out. Bradshaw, a lawyer, was chosen president. Coke was appointed solicitor for the people of England. Dorislaus, Steele, and Aske were named assistants. The court sat in Westminster Hall.

It is remarkable that, in calling over the court, when the crier pronounced the name of Fairfax, which had been inserted in the number, a voice came from one of the spectators and cried, "He has more wit than to be here." When the charge was read against the king, "In the name of the people of England," the same voice exclaimed, "Not a tenth part of them." Axtel, the officer who guarded the court, giving orders to fire into the box whence these insolent speeches came, it was discovered that Lady Fairfax was there, and that it was she who had had the courage to utter them. She was a person of noble extraction, daughter of Horace, Lord Vere of Tilbury; but, being seduced by the violence of the times, she had long seconded her husband's zeal against the royal cause, and was now, as well as he, struck with abhorrence at the fatal and unexpected consequence of all his boasted victories.

The pomp, the dignity, the ceremony of this transaction corresponded to the greatest conception that is suggested in the annals of human kind; the delegates of a great people sitting in judgment upon their supreme magistrate, and trying him for his misgovernment and breach of trust. The solicitor, in the name of the Commons, represented that Charles Stuart, being admitted King of England and *intrusted* with a limited power, yet nevertheless, from a wicked design to erect an unlimited and tyrannical govern-

ment, had traitorously and maliciously levied war against the present Parliament and the people whom they represented, and was therefore impeached as a tyrant, traitor, murderer, and a public and implacable enemy to the commonwealth. After the charge was finished, the president directed his discourse to the king, and told him that the court expected his answer.

The king, though long detained a prisoner, and now produced as a criminal, sustained, by his magnanimous courage, the majesty of a monarch. With great temper and dignity, he declined the authority of the court, and refused to submit himself to their jurisdiction. He represented that, having been engaged in treaty with his two Houses of Parliament, and having finished almost every article, he had expected to be brought to his capital in another manner, and ere this time to have been restored to his power, dignity, revenue, as well as to his personal liberty: that he could not now perceive any appearance of the upper House, so essential a member of the constitution; and had learned that even the Commons, whose authority was pretended, were subdued by lawless force, and were bereaved of their liberty: that he himself was their "native, hereditary king;" nor was the whole authority of the state, though free and united, entitled to try him who derived his dignity from the Supreme Majesty of Heaven: that, admitting those extravagant principles which levelled all orders of men, the court could plead no power delegated by the people unless the consent of every individual, down to the meanest and most ignorant peasant, had been previously asked and obtained: that he acknowledged, without scruple, that he had a *trust* committed to him, and one most sacred and inviolable; he was intrusted with the liberties of his people, and would not now betray them by recognizing a power founded on the most atrocious violence and usurpation: that having taken arms, and frequently exposed his life in defence of public liberty, of the constitution, of the fundamental laws of the kingdom, he was as willing, in this last and most solemn scene, to seal with his blood those precious rights for which, though in vain, he had so long contended: that those who arrogated a title to sit as his judges were born his subjects, and born subjects to those laws which determined *that the king can do no wrong*: that he was not reduced to the necessity of sheltering himself under this general maxim, which guards every English mon-

arch, even the least deserving; but was able, by the most satisfactory reasons, to justify those measures in which he had been engaged: that to the whole world, and even to them, his pretended judges, he was desirous, if called upon in another manner, to prove the integrity of his conduct, and assert the justice of those defensive arms to which, unwillingly and unfortunately, he had had recourse; but that, in order to preserve a uniformity of conduct, he must at present forego the apology of his innocence, lest, by ratifying an authority no better founded than that of robbers and pirates, he be justly branded as the betrayer, instead of being applauded as the martyr, of the constitution.

The president, in order to support the majesty of the people and maintain the superiority of his court above the prisoner, still inculcated that he must not decline the authority of his judges; that they overruled his objections; that they were delegated by the people, the only source of every lawful power; and that kings themselves acted but in trust from that community which had invested this high court of justice with its jurisdiction. Even according to those principles, which in his present situation he was perhaps obliged to adopt, his behavior in general will appear not a little harsh and barbarous; but when we consider him as a subject, and one too of no high character, addressing himself to his unfortunate sovereign, his style will be esteemed, to the last degree, audacious and insolent.

Three times was Charles produced before the court, and as often declined their jurisdiction. On the fourth, the judges having examined some witnesses, by whom it was proved that the king had appeared in arms against the forces commissioned by the Parliament, they pronounced sentence against him. He seemed very anxious at this time to be admitted to a conference with the two Houses, and it was supposed that he intended to resign the crown to his son; but the court refused compliance, and considered that request as nothing but a delay of justice.

It is confessed that the king's behavior during this last scene of his life does honor to his memory, and that in all appearances before his judges he never forgot his part either as a prince or as a man. Firm and intrepid, he maintained in each reply the utmost perspicuity and justness both of thought and expression; mild and equable, he rose into no passion at that unusual authority which was assumed over him. His soul, without effort or affectation, seemed only

to remain in the situation familiar to it, and to look down with contempt on all the efforts of human malice and iniquity. The soldiers, instigated by their superiors, were brought, though with difficulty, to cry aloud for justice. "Poor souls!" said the king to one of his attendants; "for a little money they would do as much against their commanders."<sup>99</sup> Some of them were permitted to go the utmost length of brutal insolence, and to spit in his face as he was conducted along the passage to the court. To excite a sentiment of pity was the only effect which this inhuman insult was able to produce upon him.

The people, though under the rod of lawless unlimited power, could not forbear, with the most ardent prayers, pouring forth their wishes for his preservation; and in his present distress, they avowed him, by their generous tears, for their monarch whom, in their misguided fury, they had before so violently rejected. The king was softened at this moving scheme, and expressed his gratitude for their dutiful affection. One soldier, too, seized by contagious sympathy, demanded from Heaven a blessing on oppressed and fallen majesty. His officer, overhearing the prayer, beat him to the ground in the king's presence. "The punishment, methinks, exceeds the offence:" this was the reflection which Charles formed on that occasion.<sup>100</sup>

As soon as the intention of trying the king was known in foreign countries, so enormous an action was exclaimed against by the general voice of reason and humanity; and all men, under whatever form of government they were born, rejected this example as the utmost effort of undisguised usurpation, and the most heinous insult on law and justice. The French ambassador, by orders from his court, interposed in the king's behalf; the Dutch employed their good offices; the Scots exclaimed and protested against the violence; the queen, the prince, wrote pathetic letters to the Parliament. All solicitations were found fruitless with men whose resolutions were fixed and irrevocable.

Four of Charles's friends, persons of virtue and dignity—Richmond, Hertford, Southampton, Lindesey—applied to the Commons. They represented that they were the king's counsellors, and had concurred by their advice in all those measures which were now imputed as crimes to their royal master; that in the eye of the law, and according to the dictates of common reason, they alone were guilty, and

<sup>99</sup> Rushworth, vol. viii. p. 1425.

<sup>100</sup> Warwick, p. 339.



were alone exposed to censure for every blamable action of the prince; and that they now presented themselves, in order to save by their own punishment that precious life which it became the Commons themselves, and every subject, with the utmost hazard, to protect and defend.<sup>101</sup> Such a generous effort tended to their honor, but contributed nothing towards the king's safety.

The people remained in that silence and astonishment which all great passions, when they have not an opportunity of exerting themselves, naturally produce in the human mind. The soldiers, being incessantly plied with prayers, sermons, and exhortations, were wrought up to a degree of fury, and imagined that in the acts of the most extreme disloyalty towards their prince consisted their greatest merit in the eye of Heaven.<sup>102</sup>

Three days were allowed the king between his sentence and his execution. This interval he passed with great tranquillity, chiefly in reading and devotion. All his family that remained in England were allowed access to him. It consisted only of the Princess Elizabeth and the Duke of Gloucester, for the Duke of York had made his escape. Gloucester was little more than an infant; the princess, notwithstanding her tender years, showed an advanced judgment, and the calamities of her family had made a deep impression upon her. After many pious consolations and advices, the king gave her in charge to tell the queen that during the whole course of his life he had never once, even in thought, failed in his fidelity towards her; and that his conjugal tenderness and his life should have an equal duration.

To the young duke, too, he could not forbear giving some advice, in order to season his mind with early principles of loyalty and obedience towards his brother, who was so soon to be his sovereign. Holding him on his knee, he said, "Now they will cut off thy father's head." At these words the child looked very steadfastly upon him. "Mark, child, what I say: they will cut off my head! and perhaps make thee a king. But mark what I say: thou must not be a king as long as thy brothers Charles and James are alive. They will cut off thy brothers' heads when they can catch them! And thy head too they will cut off at last! Therefore, I charge thee, do not be made a king by them!" The

<sup>101</sup> Perinchef, p. 85. Lloyd, p. 319.

<sup>102</sup> Burnet's History of his Own Times.

duke, sighing, replied, "I will be torn in pieces first!" So determined an answer, from one in such tender years, filled the king's eyes with tears of joy and admiration.

Every night, during this interval, the king slept sound as usual; though the noise of workmen employed in framing the scaffold, and other preparations for his execution, continually resounded in his ears.<sup>103</sup> The morning of the fatal day he rose early; and calling Herbert, one of his attendants, he bade him employ more than usual care in dressing him, and preparing him for so great and joyful a solemnity. Bishop Juxon, a man endowed with the same mild and steady virtues by which the king himself was so much distinguished, assisted him in his devotions, and paid the last melancholy duties to his friend and sovereign.

The street before Whitehall was the place destined for the execution; for it was intended, by choosing that very place, in sight of his own palace, to display more evidently the triumph of popular justice over royal majesty. When the king came upon the scaffold, he found it so surrounded with soldiers that he could not expect to be heard by any of the people. He addressed, therefore, his discourse to the few persons who were about him; particularly Colonel Tomlinson, to whose care he had lately been committed, and upon whom, as upon many others, his amiable deportment had wrought an entire conversion. He justified his own innocence in the late fatal wars, and observed that he had not taken arms till after the Parliament had enlisted forces; nor had he any other object in his warlike operations than to preserve that authority entire which his predecessors had transmitted to him. He threw not, however, the blame upon the Parliament, but was more inclined to think that ill instruments had interposed, and raised in them fears and jealousies with regard to his intentions. Though innocent towards his people, he acknowledged the equity of his execution in the eyes of his Maker; and observed that an unjust sentence which he had suffered to take effect was now punished by an unjust sentence upon himself. He forgave all his enemies, even the chief instruments of his death; but exhorted them and the whole nation to return to the ways of peace by paying obedience to their lawful sovereign, his son and successor. When he was preparing himself for the block, Bishop Juxon called to him, "There is, sir, but one stage more, which, though turbulent and

<sup>103</sup> Clement Walker's History of Independency.

troublesome, is yet a very short one. Consider, it will soon carry you a great way; it will carry you from earth to heaven; and there you shall find, to your great joy, the prize to which you hasten—a crown of glory.” “I go,” replied the king, “from a corruptible to an incorruptible crown, where no disturbance can have place.” At one blow was his head severed from his body. A man in a visor performed the office of executioner; another in a like disguise held up to the spectators the head streaming with blood, and cried aloud, “This is the head of a traitor!”

It is impossible to describe the grief, indignation, and astonishment which took place, not only among the spectators, who were overwhelmed with a flood of sorrow, but throughout the whole nation, as soon as the report of this fatal execution was conveyed to them. Never monarch, in the full triumph of success and victory, was more dear to his people than his misfortunes and magnanimity, his patience and piety, had rendered this unhappy prince. In proportion to their former delusions which had animated them against him was the violence of their return to duty and affection; while each reproached himself either with active disloyalty towards him, or with too indolent defence of his oppressed cause. On weaker minds, the effect of these complicated passions was prodigious. Women are said to have cast forth the untimely fruit of their womb; others fell into convulsions, or sank into such a melancholy as attended them to their grave; nay, some, unmindful of themselves, as though they could not or would not survive their beloved prince, it is reported suddenly fell down dead. The very pulpits were bedewed with unsuborned tears—those pulpits which had formerly thundered out the most violent imprecations and anathemas against him. And all men united in their detestation of those hypocritical parricides who, by sanctified pretences, had so long disguised their treasons, and in this last act of iniquity had thrown an indelible stain upon the nation.

A fresh instance of hypocrisy was displayed the very day of the king's death. The generous Fairfax, not content with being absent from the trial, had used all the interest which he yet retained to prevent the execution of the fatal sentence; and had even employed persuasion with his own regiment, though none else would follow him, to rescue the king from his disloyal murderers. Cromwell and Ireton, informed of this intention, endeavored to convince him that

the Lord had rejected the king; and they exhorted him to seek by prayer some direction from Heaven on this important occasion; but they concealed from him that they had already signed the warrant for the execution. Harrison was the person appointed to join in prayer with the unwary general. By agreement, he prolonged his doleful cant till intelligence arrived that the fatal blow was struck. He then rose from his knees, and insisted with Fairfax that this event was a miraculous and providential answer, which Heaven had sent to their devout supplications.<sup>104</sup>

It being remarked that the king, the moment before he stretched out his neck to the executioner, had said to Juxon, with a very earnest accent, the single word "Remember," great mysteries were supposed to be concealed under that expression, and the generals vehemently insisted with the prelate that he should inform them of the king's meaning. Juxon told them that the king, having frequently charged him to inculcate on his son the forgiveness of his murderers, had taken this opportunity, in the last moment of his life, when his commands, he supposed, would be regarded as sacred and inviolable, to reiterate that desire; and that his mild spirit thus terminated its present course by an act of benevolence towards his greatest enemies.

The character of this prince, as that of most men, if not of all men, was mixed; but his virtues predominated extremely above his vices, or, more properly speaking, his imperfections; for scarce any of his faults rose to that pitch as to merit the appellation of vices. To consider him in the most favorable light, it may be affirmed that his dignity was free from pride, his humanity from weakness, his bravery from rashness, his temperance from austerity, his frugality from avarice; all these virtues, in him, maintained their proper bounds, and merited unreserved praise. To speak the most harshly of him, we may affirm that many of his good qualities were attended with some latent frailty, which, though seemingly inconsiderable, was able, when seconded by the extreme malevolence of his fortune, to disappoint them of all their influence; his beneficent disposition was clouded by a manner not very gracious; his virtue was tinged with superstition; his good sense was disfigured by a deference to persons of a capacity inferior to his own; and his moderate temper exempted him not from hasty and precipitate resolutions. He deserves the epithet

<sup>104</sup> Herbert, p. 135.



of a good, rather than of a great man; and was more fitted to rule in a regular established government than either to give way to the encroachments of a popular assembly, or finally to subdue their pretensions. He wanted suppleness and dexterity sufficient for the first measure; he was not endowed with the vigor requisite for the second. Had he been born an absolute prince, his humanity and good sense had rendered his reign happy and his memory precious; had the limitations on prerogative been in his time quite fixed and certain, his integrity had made him regard as sacred the boundaries of the constitution. Unhappily, his fate threw him into a period when the precedents of many former reigns savored strongly of arbitrary power, and the genius of the people ran violently towards liberty. And if his political prudence was not sufficient to extricate him from so perilous a situation, he may be excused; since even after the event, when it is commonly easy to correct all errors, one is at a loss to determine what conduct, in his circumstances, could have maintained the authority of the crown and preserved the peace of the nation. Exposed, without revenue, without arms, to the assault of furious, implacable, and bigoted factions, it was never permitted him, but with the most fatal consequences, to commit the smallest mistake—a condition too rigorous to be imposed on the greatest human capacity.

Some historians have rashly questioned the good faith of this prince; but for this reproach the most malignant scrutiny of his conduct, which in every circumstance is now thoroughly known, affords not any reasonable foundation. On the contrary, if we consider the extreme difficulties to which he was so frequently reduced, and compare the sincerity of his professions and declarations, we shall avow that probity and honor ought justly to be numbered among his most shining qualities. In every treaty, those concessions which he thought he could not in conscience maintain, he never could, by any motive or persuasion, be induced to make. And though some violations of the Petition of Right may perhaps be imputed to him, these are more to be ascribed to the necessity of his situation, and to the lofty ideas of royal prerogative which, from former established precedents, he had imbibed, than to any failure in the integrity of his principles.<sup>105</sup>

This prince was of a comely presence, of a sweet but

<sup>105</sup> See note [GG] at the end of the volume.

melancholy aspect. His face was regular, handsome, and well-complexioned; his body strong, healthy, and justly proportioned; and being of a middle stature, he was capable of enduring the greatest fatigues. He excelled in horsemanship and other exercises; and he possessed all the exterior as well as many of the essential qualities which form an accomplished prince.

The tragical death of Charles begat a question, whether the people, in any case, were entitled to judge and to punish their sovereign; and most men, regarding chiefly the atrocious usurpation of the pretended judges, and the merit of the virtuous prince who suffered, were inclined to condemn the republican principle as highly seditious and extravagant; but there were still a few who, abstracting from the particular circumstances of this case, were able to consider the question in general, and were inclined to moderate, not contradict, the prevailing sentiment. Such might have been their reasoning. If ever, on any occasion, it were laudable to conceal truth from the populace, it must be confessed that the doctrine of resistance affords such an example, and that all speculative reasoners ought to observe, with regard to this principle, the same cautious silence which the laws in every species of government have ever prescribed to themselves. Government is instituted in order to restrain the fury and injustice of the people, and being always founded on opinion, not on force, it is dangerous to weaken, by these speculations, the reverence which the multitude owe to authority, and to instruct them beforehand that the case can never happen when they may be freed from their duty of allegiance. Or should it be found impossible to restrain the license of human disquisitions, it must be acknowledged that the doctrine of obedience ought alone to be *inculcated* and that the exceptions, which are rare, ought seldom or never to be mentioned in popular reasonings and discourses. Nor is there any danger that mankind, by this prudent reserve, should universally degenerate into a state of abject servitude. When the exception really occurs, even though it be not previously expected and descanted on, it must, from its very nature, be so obvious and undisputed as to remove all doubt, and overpower the restraint, however great, imposed by teaching the general doctrine of obedience. But between resisting a prince and dethroning him there is a wide interval, and the abuses of power which can warrant the latter violence are greater and more enormous

than those which will justify the former. History, however, supplies us with examples even of this kind ; and the reality of the supposition, though for the future it ought ever to be little looked for, must by all candid inquirers be acknowledged in the past. But between dethroning a prince and punishing him there is another very wide interval ; and it were not strange if men even of the most enlarged thoughts should question whether human nature could ever in any monarch reach that height of depravity as to warrant, in revolted subjects, this last act of extraordinary jurisdiction. That illusion, if it be an illusion, which teaches us to pay a sacred regard to the persons of princes is so salutary that to dissipate it by the formal trial and punishment of a sovereign will have more pernicious effects upon the people than the example of justice can be supposed to have a beneficial influence upon princes, by checking their career of tyranny. It is dangerous, also, by these examples, to reduce princes to despair, or bring matters to such extremities against persons endowed with great power as to leave them no resource but in the most violent and most sanguinary counsels. This general position being established, it must, however, be observed that no reader, almost of any party or principle, was ever shocked when he read in ancient history that the Roman senate voted Nero, their absolute sovereign, to be a public enemy, and, even without trial, condemned him to the severest and most ignominious punishment—a punishment from which the meanest Roman citizen was by the laws exempted. The crimes of that bloody tyrant are so enormous that they break through all rules, and extort a confession that such a dethroned prince is no longer superior to his people, and can no longer plead, in his own defence, laws which were established for conducting the ordinary course of administration. But when we pass from the case of Nero to that of Charles, the great disproportion, or rather total contrariety, of character immediately strikes us ; and we stand astonished that among a civilized people so much virtue could ever meet with so fatal a catastrophe. History, the great mistress of wisdom, furnishes examples of all kinds ; and every prudential as well as moral precept may be authorized by those events which her enlarged mirror is able to present to us. From the memorable revolutions which passed in England during this period, we may naturally deduce the same useful lesson which Charles himself in his latter years inferred, that it is

dangerous for princes, even from the appearance of necessity, to assume more authority than the laws have allowed them. But it must be confessed that these events furnish us with another instruction, no less natural, and no less useful, concerning the madness of the people, the furies of fanaticism, and the danger of mercenary armies.

In order to close this part of the British history, it is also necessary to relate the dissolution of the monarchy in England; that event soon followed upon the death of the monarch. When the Peers met on the day appointed in their adjournment, they entered upon business, and sent down some votes to the Commons, of which the latter deigned not to take the least notice. In a few days the lower House passed a vote that they would make no more addresses to the House of Peers, nor receive any from them; and that that House was useless and dangerous, and was therefore to be abolished. A like vote passed with regard to the monarchy; and it is remarkable that Martin, a zealous republican, in the debate on this question confessed that if they desired a king, the last was as proper as any gentleman in England.<sup>106</sup> The Commons ordered a new great seal to be engraved, on which that assembly was represented with this legend, "On the first year of freedom, by God's blessing, restored, 1648." The forms of all public business were changed from the king's name to that of the keepers of the liberties of England;<sup>107</sup> and it was declared high treason to proclaim, or any otherwise acknowledge, Charles Stuart, commonly called Prince of Wales.

The Commons intended, it is said, to bind the Princess Elizabeth apprentice to a button-maker; the Duke of Gloucester was to be taught some other mechanical employment. But the former soon died of grief, as is supposed, for her father's tragical end; the latter was by Cromwell sent beyond sea.

The king's statue in the Exchange was thrown down, and on the pedestal these words were inscribed: "Exit tyrannus, regum ultimus"—The tyrant is gone, the last of the kings."

Duke Hamilton was tried by a new high court of justice as Earl of Cambridge in England, and condemned for trea-

<sup>106</sup> Walker's History of Independency, part ii.

<sup>107</sup> The Court of King's Bench was called the Court of Public Bench. So cautious on this head were some of the Republicans that it is pretended, in reciting the Lord's Prayer, they would not say "thy kingdom come," but always "thy commonwealth come."



son. This sentence, which was certainly hard, but which ought to save his memory from all imputations of treachery to his master, was executed on a scaffold erected before Westminster Hall. Lord Capel underwent the same fate. Both these noblemen had escaped from prison, but were afterwards discovered and taken. To all the solicitations of their friends for pardon, the generals and parliamentary leaders still replied that it was certainly the intention of Providence that they should suffer, since it had permitted them to fall into the hands of their enemies after they had once recovered their liberty.

The Earl of Holland lost his life by a like sentence. Though of a polite and courtly behavior, he died lamented by no party. His ingratitude to the king and his frequent changing of sides were regarded as great stains on his memory. The Earl of Norwich and Sir John Owen, being condemned by the same court, were pardoned by the Commons.

The king left six children—three males (Charles, born in 1630; James, Duke of York, born in 1633; Henry, Duke of Gloucester, born in 1641) and three females (Mary, Princess of Orange, born 1631; Elizabeth, born 1635; and Henrietta, afterwards Duchess of Orleans, born at Exeter, 1644).

The Archbishops of Canterbury in this reign were Abbot and Laud; the lord-keepers, Williams, Bishop of Lincoln, Lord Coventry, Lord Finch, Lord Littleton, and Sir Richard Lane; the high-admirals, the Duke of Buckingham and the Earl of Northumberland; the treasurers, the Earl of Marlborough, the Earl of Portland, Juxon, Bishop of London, and Lord Cottington; the secretaries of state, Lord Conway, Sir Albertus Moreton, Coke, Sir Henry Vane, Lord Falkland, Lord Digby, and Sir Edward Nicholas.

It may be expected that we should here mention the *Icon Basiliké*, a work published in the king's name a few days after his execution. It seems almost impossible, in the controverted parts of history, to say anything which will satisfy the zealots of both parties; but with regard to the genuineness of that production, it is not easy for an historian to fix any opinion which will be entirely to his own satisfaction. The proofs brought to evince that this work is or is not the king's are so convincing that, if an impartial reader peruse any one side apart,<sup>108</sup> he will think it impossi-

<sup>108</sup> See, on the one hand, Toland's *Amyntor*, and, on the other, Wagstaffe's

ble that arguments could be produced sufficient to counterbalance so strong an evidence; and when he compares both sides, he will be some time at a loss to fix any determination. Should an absolute suspense of judgment be found difficult or disagreeable in so interesting a question, I must confess that I much incline to give the preference to the arguments of the royalists. The testimonies which prove that performance to be the king's are more numerous, certain, and direct than those on the other side. This is the case, even if we consider the external evidence; but when we weigh the internal, derived from the style and composition, there is no manner of comparison. These meditations resemble, in elegance, purity, neatness, and simplicity, the genius of those performances which we know with certainty to have flowed from the royal pen, but are so unlike the bombast, perplexed, rhetorical and corrupt style of Dr. Gauden, to whom they are ascribed, that no human testimony seems sufficient to convince us that he was the author. Yet all the evidences which would rob the king of that honor tend to prove that Dr. Gauden had the merit of writing so fine a performance, and the infamy of imposing it on the world for the king's.

It is not easy to conceive the general compassion excited towards the king by the publishing, at so critical a juncture, a work so full of piety, meekness, and humanity. Many have not scrupled to ascribe to that book the subsequent restoration of the royal family. Milton compares its effects to those which were wrought on the tumultuous Romans by Anthony's reading to them the will of Cæsar. The *Icon* passed through fifty editions in a twelvemonth; and, independent of the great interest taken in it by the nation as the supposed production of their murdered sovereign, it must be acknowledged the best prose composition which, at the time of its publication, was to be found in the English language.

Vindication of the Royal Martyr, with Young's addition. We may remark that Lord Clarendon's total silence with regard to this subject in so full a history, composed in vindication of the king's measures and character, forms a presumption on Toland's side, and a presumption of which that author was ignorant, the works of the noble historian not being then published. Bishop Burnet's testimony, too, must be allowed of some weight against the *Icon*.

## CHAPTER LX.

## THE COMMONWEALTH.

STATE OF ENGLAND—OF SCOTLAND—OF IRELAND.—LEVELLERS SUPPRESSED.—SIEGE OF DUBLIN RAISED.—TREDAH STORMED.—COVENANTERS.—MONTROSE TAKEN PRISONER.—EXECUTED.—COVENANTERS.—BATTLE OF DUNBAR—OF WORCESTER.—KING'S ESCAPE.—THE COMMONWEALTH.—DUTCH WAR.—DISSOLUTION OF PARLIAMENT.

THE confusions which overspread England after the murder of Charles I. proceeded as well from the spirit of refinement and innovation which agitated the ruling party as from the dissolution of all that authority, both civil and ecclesiastical, [1649.] by which the nation had ever been accustomed to be governed. Every man had framed the model of a republic; and however new it was, or fantastical, he was eager in recommending it to his fellow-citizens, or even imposing it by force upon them. Every man had adjusted a system of religion, which, being derived from no traditional authority, was peculiar to himself; and being founded on supposed inspiration, not on any principles of human reason, had no means besides cant and low rhetoric by which it could recommend itself to others. The Levellers insisted on an equal distribution of power and property, and disclaimed all dependence and subordination. The Millenarians, or Fifth-monarchy men, required that government itself should be abolished and all human powers be laid in the dust, in order to pave the way for the dominion of Christ, whose second coming they suddenly expected. The Antinomians even insisted that the obligations of morality and natural law were suspended, and that the elect, guided by an internal principle more perfect and divine, were superior to the "beggary elements" of justice and humanity. A considerable party declaimed against tithes and hireling priesthood, and were resolved that the magistrate should not support by power or revenue any ecclesiastical establishment. Another party inveighed against

the law and its professors; and, on pretence of rendering more simple the distribution of justice, were desirous of abolishing the whole system of English jurisprudence which seemed interwoven with monarchical government. Even those among the republicans who adopted not such extravagances were so intoxicated with their saintly character that they supposed themselves possessed of peculiar privileges; and all professions, oaths, laws, and engagements had in a great measure lost their influence over them. The bands of society were everywhere loosened, and the irregular passions of men were encouraged by speculative principles still more unsocial and irregular.

The royalists, consisting of the nobles and more considerable gentry, being degraded from their authority and plundered of their property, were inflamed with the highest resentment and indignation against those ignoble adversaries who had reduced them to subjection. The Presbyterians, whose credit at first supported the arms of the Parliament, were enraged to find that, by the treachery or superior cunning of their associates, the fruits of all their successful labors were ravished from them. The former party, from inclination and principle, zealously attached themselves to the son of their unfortunate monarch, whose memory they respected, and whose tragical death they deplored. The latter cast their eye towards the same object; but they had still many prejudices to overcome, many fears and jealousies to be allayed, ere they could cordially entertain thoughts of restoring the family which they had so grievously offended, and whose principles they regarded with such violent abhorrence.

The only solid support of the republican Independent faction, which, though it formed so small a part of the nation, had violently usurped the government of the whole, was a numerous army of near fifty thousand men. But this army, formidable from its discipline and courage as well as its numbers, was actuated by a spirit that rendered it dangerous to the assembly which had assumed the command over it. Accustomed to indulge every chimera in politics, every frenzy in religion, the soldiers knew little of the subordination of citizens, and had only learned, from apparent necessity, some maxims of military obedience; and while they still maintained that all those enormous violations of law and equity of which they had been guilty were justified by the success with which Providence had blessed them, they



were ready to break out into any new disorder, wherever they had the prospect of a like sanction and authority.

What alone gave some stability to all these unsettled humors was the great influence, both civil and military, acquired by Oliver Cromwell. This man, suited to the age in which he lived, and to that alone, was equally qualified to gain the affection and confidence of men by what was mean, vulgar, and ridiculous in his character as to command their obedience by what was great, daring, and enterprising. Familiar even to buffoonery with the meanest sentinel, he never lost his authority; transported to a degree of madness with religious ecstasies, he never forgot the political purposes to which they might serve. Hating monarchy while a subject, despising liberty while a citizen, though he retained for a time all orders of men under a seeming obedience to the Parliament, he was secretly paving the way, by artifice and courage, to his own unlimited authority.

The Parliament, for so we must henceforth call a small and inconsiderable part of the House of Commons, having murdered their sovereign with so many appearing circumstances of solemnity and justice, and so much real violence and even fury, began to assume more the air of a civil legal power, and to enlarge a little the narrow bottom upon which they stood. They admitted a few of the excluded and absent members, such as were liable to least exception, but on condition that these members should sign an approbation of whatever had been done in their absence with regard to the king's trial; and some of them were willing to acquire a share of power on such terms: the greater part disdained to lend their authority to such apparent usurpations. They issued some writs for new elections in places where they hoped to have interest enough to bring in their own friends and dependants. They named a council of state, thirty-eight in number, to whom all addresses were made, who gave orders to all generals and admirals, who executed the laws, and who digested all business before it was introduced into Parliament.<sup>1</sup> They pretended to employ themselves entirely in adjusting the laws, forms, and plan of a new representative; and as soon as they should have settled the

<sup>1</sup> Their names were—the Earls of Denbigh, Mulgrave, Pembroke, Salisbury, Lords Gray and Fairfax, Lisle, Rolles, St. John, Wilde, Bradshaw, Cromwell, Skippon, Pickering, Massam, Haselrig, Harrington, Vane jun., Danvers, Armine, Mildmay, Constable, Pennington, Wilson, Whitlocke, Martin, Ludlow, Stapleton, Hevingham, Wallop, Hutchinson, Boud, Popham, Valentine, Walton, Scott, Purefoy, Jones.

nation, they professed their intention of restoring the power to the people, from whom they acknowledged they had entirely derived it.

The commonwealth found everything in England composed in a seeming tranquillity by the terror of their arms. Foreign powers, occupied in wars among themselves, had no leisure or inclination to interpose in the domestic dissensions of this island. The young king, poor and neglected, living sometimes in Holland, sometimes in France, sometimes in Jersey, comforted himself, amid his present distresses, with the hopes of better fortune. The situation alone of Scotland and Ireland gave any immediate inquietude to the new republic.

After the successive defeats of Montrose and Hamilton and the ruin of their parties, the whole authority in Scotland fell into the hands of Argyle and the rigid churchmen, that party which was most averse to the interests of the royal family. Their enmity, however, against the Independents, who had prevented the settlement of Presbyterian discipline in England, carried them to embrace opposite maxims in their political conduct. Though invited by the English Parliament to model their government into a republican form, they resolved still to adhere to monarchy, which had ever prevailed in their country, and which, by the express terms of their covenant, they had engaged to defend. They considered, besides, that as the property of the kingdom lay mostly in the hands of great families, it would be difficult to establish a commonwealth, or, without some chief magistrate invested with royal authority, to preserve peace or justice in the community. The execution, therefore, of the king, against which they had always protested, having occasioned a vacancy of the throne, they immediately proclaimed his son and successor, Charles II.; but upon condition "of his good behavior and strict observance of the covenant, and his entertaining no other persons about him but such as were godly men and faithful to that obligation." These unusual clauses, inserted in the very first acknowledgment of their prince, sufficiently showed their intention of limiting extremely his authority; and the English commonwealth, having no pretence to interpose in the affairs of that kingdom, allowed the Scots for the present to take their own measures in settling their government.

The dominion which England claimed over Ireland demanded more immediately their efforts for subduing that

country. In order to convey a just notion of Irish affairs, it would be necessary to look backwards some years, and to relate briefly those transactions which had passed during the memorable revolutions in England. When the late king agreed to that cessation of arms with the popish rebels,<sup>2</sup> which was become so requisite as well for the security of the Irish Protestants as for promoting his interests in England, the Parliament, in order to blacken his conduct, reproached him with favoring that odious rebellion, and exclaimed loudly against the terms of the cessation. They even went so far as to declare it entirely null and invalid, because finished without their consent; and to this declaration the Scots in Ulster, and the Earl of Inchiquin, a nobleman of great authority in Munster, professed to adhere. By their means the war was still kept alive; but as the dangerous distraction in England hindered the Parliament from sending any considerable assistance to their allies in Ireland, the Marquis of Ormond, lord-lieutenant, being a native of Ireland, and a person endowed with great prudence and virtue, formed a scheme for composing the disorders of his country, and for engaging the rebel Irish to support the cause of his royal master. There were many circumstances which strongly invited the natives of Ireland to embrace the king's party. The maxims of that prince had always led him to give a reasonable indulgence to the Catholics throughout all his dominions; and one principal ground of that enmity which the Puritans professed against him was this tacit toleration. The Parliament, on the contrary, even when unprovoked, had ever menaced the Papists with the most rigid restraint, if not a total extirpation; and immediately after the commencement of the Irish rebellion they put to sale all the estates of the rebels, and had engaged the public faith for transferring them to the adventurers who had already advanced money upon that security. The success, therefore, which the arms of the Parliament met with at Naseby struck a just terror into the Irish, and engaged the Council of Kilkenny, composed of deputies from all the Catholic counties and cities, to conclude a peace with the Marquis of Ormond.<sup>3</sup> They professed to return to their duty and allegiance, engaged to furnish ten thousand men for the support of the king's authority in England, and were content with stipulating, in return, indemnity for their rebellion and toleration of their religion.

Ormond, not doubting but a peace so advantageous and even necessary to the Irish would be strictly observed, advanced with a small body of troops to Kilkenny, in order to concert measures for common defence with his new allies. The pope had sent over to Ireland a nuncio, Rinuccini, an Italian; and this man, whose commission empowered him to direct the spiritual concerns of the Irish, was emboldened, by their ignorance and bigotry, to assume the chief authority in the civil government. Foreseeing that a general submission to the lord-lieutenant would put an end to his own influence, he conspired with Owen O'Neal, who commanded the native Irish in Ulster, and who bore a great jealousy to Preston, the general chiefly trusted by the Council of Kilkenny. By concert, these two malcontents secretly drew forces together, and were ready to fall on Ormond, who remained in security, trusting to the pacification so lately concluded with the rebels. He received intelligence of their treachery, made his retreat with celerity and conduct, and sheltered his small army in Dublin and the other fortified towns which still remained in the hands of the Protestants.

The nuncio, full of arrogance, levity, and ambition, was not contented with this violation of treaty. He summoned an assembly of the clergy at Waterford, and engaged them to declare against that pacification which the civil council had concluded with their sovereign. He even thundered out a sentence of excommunication against all who should adhere to a peace so prejudicial, as he pretended, to the Catholic religion; and the deluded Irish, terrified with his spiritual menaces, ranged themselves everywhere on his side, and submitted to his authority. Without scruple he carried on war against the lord-lieutenant, and threatened with a siege the Protestant garrisons, which were, all of them, very ill provided for defence.

Meanwhile the unfortunate king was necessitated to take shelter in the Scottish army; and being there reduced to close confinement, and secluded from all commerce with his friends, despaired that his authority, or even his liberty, would ever be restored to him. He sent orders to Ormond, if he could not defend himself, rather to submit to the English than to the Irish rebels; and accordingly the lord-lieutenant, being reduced to extremities, delivered up Dublin, Tredah, Dundalk, and other garrisons to Colonel Michael Jones, who took possession of them in the name of the Eng-



lish Parliament. Ormond himself went over to England, was admitted into the king's presence, received a grateful acknowledgment for his past services, and during some time lived in tranquillity near London. But, being banished with the other royalists to a distance from that city, and seeing every event turn out unfortunately for his royal master and threaten him with a catastrophe still more direful, he thought proper to retire into France, where he joined the queen and the Prince of Wales.

In Ireland, during these transactions, the authority of the nuncio prevailed without control among all the Catholics; and that prelate, by his indiscretion and insolence, soon made them repent of the power with which they had intrusted him. Prudent men, likewise, were sensible of the total destruction which was hanging over the nation from the English Parliament, and saw no resource or safety but in giving support to the declining authority of the king. The Earl of Clanricarde, a nobleman of an ancient family, a person, too, of merit, who had ever preserved his loyalty, was sensible of the ruin which threatened his countrymen, and was resolved, if possible, to prevent it. He secretly formed a combination among the Catholics; he entered into a correspondence with Inchiquin, who preserved great authority over the Protestants in Munster; he attacked the nuncio, whom he chased out of the island; and he sent to Paris a deputation, inviting the lord-lieutenant to return and take possession of his government.

Ormond, on his arrival in Ireland, found the kingdom divided into many factions, among which either open war or secret enmity prevailed. The authority of the English Parliament was established in Dublin and the other towns which he himself had delivered into their hands. O'Neal maintained his credit in Ulster; and, having entered into a secret correspondence with the parliamentary generals, was more intent on schemes for his own personal safety than anxious for the preservation of his country or religion. The other Irish, divided between their clergy, who were averse to Ormond, and their nobility, who were attached to him, were very uncertain in their motions and feeble in their measures. The Scots in the north, enraged, as well as their other countrymen, against the usurpations of the sectarian army, professed their adherence to the king, but were still hindered by many prejudices from entering into a cordial union with his lieutenant. All these distracted counsels

and contrary humors checked the progress of Ormond, and enabled the parliamentary forces in Ireland to maintain their ground against him. The republican faction, meanwhile, in England, employed in subduing the revolted royalists, in reducing the Parliament to subjection, in the trial, condemnation, and execution of their sovereign, totally neglected the supplying of Ireland, and allowed Jones and the forces in Dublin to remain in the utmost weakness and necessity. The lord-lieutenant, though surrounded with difficulties, neglected not the favorable opportunity of promoting the royal cause. Having at last assembled an army of sixteen thousand men, he advanced upon the parliamentary garrisons. Dundalk, where Monk commanded, was delivered up by the troops, who mutinied against their governor. Tredah, Newry, and other forts were taken. Dublin was threatened with a siege; and the affairs of the lieutenant appeared in so prosperous a condition that the young king entertained thoughts of coming in person into Ireland.

When the English commonwealth was brought to some tolerable settlement, men began to cast their eyes towards the neighboring island. During the contest of the two parties the government of Ireland had remained a great object of intrigue; and the Presbyterians endeavored to obtain the lieutenancy for Waller, the Independents for Lambert. After the execution of the king, Cromwell himself began to aspire to a command where so much glory, he saw, might be won, and so much authority acquired. In his absence he took care to have his name proposed to the council of state, and both friends and enemies concurred immediately to vote him into that important office; the former suspected that the matter had not been proposed merely by chance, without his own concurrence; the latter desired to remove him to a distance, and hoped during his absence to gain the ascendant over Fairfax, whom he had so long blinded by his hypocritical professions. Cromwell himself, when informed of his election, feigned surprise, and pretended at first to hesitate with regard to the acceptance of the command; and Lambert, either deceived by his dissimulation, or, in his turn, feigning to be deceived, still continued, notwithstanding this disappointment, his friendship and connections with Cromwell.

The new lieutenant immediately applied himself with his wonted vigilance to make preparation for his expedition. Many disorders in England it behooved him previously to

compose. All places were full of danger and inquietude. Though men, astonished with the successes of the army, remained in seeming tranquillity, symptoms of the greatest discontent everywhere appeared. The English, long accustomed to a mild administration, and unacquainted with dissimulation, could not conform their speech and countenance to the present necessity, or pretended attachment to a form of government which they generally regarded with such violent abhorrence. It was requisite to change the magistracy of London, and to degrade as well as punish the mayor and some of the aldermen, before the proclamation for the abolition of monarchy could be published in the city. An engagement being framed to support the commonwealth without king or House of Peers, the army was with some difficulty brought to subscribe it; but though it was imposed on the rest of the nation under severe penalties, no less than putting all who refused out of the protection of law, such obstinate reluctance was observed in the people that even the imperious Parliament was obliged to desist from it. The spirit of fanaticism by which that assembly had at first been strongly supported was now turned in a great measure against them. The pulpits being chiefly filled with Presbyterians or disguised royalists, and having long been the scene of news and politics, could by no penalties be restrained from declarations unfavorable to the established government. Numberless were the extravagances which broke out among the people. Everard, a disbanded soldier, having preached that the time was now come when the community of goods would be renewed among Christians, led out his followers to take possession of the land; and being carried before the general, he refused to salute him, because he was but his fellow-creature.<sup>4</sup> What seemed more dangerous, the army itself was infected with like humors.<sup>5</sup> Though the Levellers had for a time been suppressed by the audacious spirit of Cromwell, they still continued to propagate their doctrines among the private men and inferior officers, who pretended a right to be consulted, as before, in the administration of the commonwealth. They now practised against their officers the same lesson which they had been taught against the Parliament. They framed a remonstrance, and sent five agitators to present it to the general and council of war. These were cashiered with ignominy by sentence of a court-martial. One Lockier, having

<sup>4</sup> Whitlocke.

<sup>5</sup> See note [HH] at the end of the volume.

carried his sedition further, was sentenced to death ; but this punishment was so far from quelling the mutinous spirit that above a thousand of his companions showed their adherence to him by attending his funeral, and wearing in their hats black and sea-green ribbons by way of favors. About four thousand assembled at Burford, under the command of Thomson, a man formerly condemned for sedition by a court-martial, but pardoned by the general. Colonel Reynolds, and afterwards Fairfax and Cromwell, fell upon them while unprepared for defence and seduced by the appearance of a treaty. Four hundred were taken prisoners ; some of them capitally punished, the rest pardoned ; and this tumultuous spirit, though it still lurked in the army, and broke out from time to time, seemed for the present to be suppressed.

Petitions framed in the same spirit of opposition were presented to the Parliament by Lieutenant-Colonel Lilburn, the person who, for dispersing seditious libels, had formerly been treated with such severity by the Star-chamber. His liberty was at this time as ill relished by the Parliament, and he was thrown into prison as a promoter of sedition and disorder in the commonwealth. The women applied by a petition for his release, but were now desired to mind their household affairs, and leave the government of the state to the men. From all quarters the Parliament was harassed with petitions of a very free nature, which strangely spoke the sense of the nation, and proved how ardently all men longed for the restoration of their laws and liberties. Even in a feast which the city gave to the Parliament and council of state, it was deemed a requisite precaution, if we may credit Walker and Dugdale, to swear all the cooks that they would serve nothing but wholesome food to them.

The Parliament judged it necessary to enlarge the laws of high treason beyond those narrow bounds within which they had been confined during the monarchy. They even comprehended verbal offences — nay, intentions — though they had never appeared in any overt act against the state. To affirm the present government to be a usurpation, to assert that the Parliament or council of state were tyrannical or illegal, to endeavor subverting their authority or stirring up sedition against them—these offences were declared to be high treason. The power of imprisonment, of which the Petition of Right had bereaved the king, it was now found necessary to restore to the council of state ; and



all the jails in England were filled with men whom the jealousies and fears of the ruling party had represented as dangerous.<sup>6</sup> The taxes continued by the new government, and which, being unusual, were esteemed heavy, increased the general ill-will under which it labored. Besides the customs and excise, ninety thousand pounds a month were levied on land for the subsistence of the army. The sequestrations and compositions of the royalists, the sale of the crown lands and of the dean and chapter lands, though they yielded great sums, were not sufficient to support the vast expenses, and, as was suspected, the great depredations of the Parliament and of their creatures.<sup>7</sup>

Amid all these difficulties and disturbances, the steady mind of Cromwell, without confusion or embarrassment, still pursued its purpose. While he was collecting an army of twelve thousand men in the West of England, he sent to Ireland, under Reynolds and Venables, a reinforcement of four thousand horse and foot, in order to strengthen Jones and enable him to defend himself against the Marquis of Ormond, who lay at Finglass, and was making preparations for the attack of Dublin. Inchiquin, who had now made a treaty with the king's lieutenant, having with a separate body taken Tredah and Dundalk, gave a defeat to Offarrell, who served under O'Neal, and to young Coot, who commanded some parliamentary forces. After he had joined his troops to the main army, with whom for some time he remained united, Ormond passed the river Liffy, and took post at Rathmines, two miles from Dublin, with a view of commencing the siege of that city. In order to cut off all further supply from Jones, he had begun the reparation of an old fort which lay at the gates of Dublin; and, being exhausted with continual fatigue for some days, he had retired to rest, after leaving orders to keep his forces under arms. He was suddenly awakened with the noise of firing, and, starting from his bed, saw everything already in tumult and confusion. Jones, an excellent officer, formerly a lawyer, had sallied out with the reinforcement newly arrived; and attacking the party employed in repairing the fort, he totally routed them, pursued the advantage, and fell in with the army, which had neglected Ormond's orders. These he soon threw into disorder; put them to flight, in spite of all the efforts of the lord-lieutenant; chased them off the field;

<sup>6</sup> History of Independency, part ii.

<sup>7</sup> Parliamentary History, vol. xix. pp. 136, 176.

seized all their tents, baggage, ammunition; and returned victorious to Dublin, after killing a thousand men and taking above two thousand prisoners.<sup>8</sup>

This loss, which threw some blemish on the military character of Ormond, was irreparable to the royal cause. That numerous army which, with so much pains and difficulty, the lord-lieutenant had been collecting for more than a year, was dispersed in a moment. Cromwell soon arrived in Dublin, where he was welcomed with shouts and rejoicings. He hastened to Tredah. That town was well fortified; Ormond had thrown into it a good garrison of three thousand men, under Sir Arthur Aston, an officer of reputation. He expected that Tredah, lying in the neighborhood of Dublin, would first be attempted by Cromwell, and he was desirous to employ the enemy some time in that siege, while he himself should repair his broken forces. But Cromwell knew the importance of despatch. Having made a breach, he ordered a general assault. Though twice repulsed with loss, he renewed the attack, and himself, along with Ireton, led on his men. All opposition was overborne by the furious valor of the troops. The town was taken sword in hand, and orders being issued to give no quarter, a cruel slaughter was made of the garrison. Even a few who were saved by the soldiers, satiated with blood, were next day miserably butchered by orders from the general. One person alone of the garrison escaped, to be a messenger of this universal havoc and destruction.

Cromwell pretended to retaliate by this severe execution the cruelty of the Irish massacre; but he well knew that almost the whole garrison was English; and his justice was only a barbarous policy in order to terrify all other garrisons from resistance. His policy, however, had the desired effect. Having led the army without delay to Wexford, he began to batter the town. The garrison, after a slight defence, offered to capitulate; but before they obtained a cessation they imprudently neglected their guards, and the English army rushed in upon them. The same severity was exercised as at Tredah.

Every town before which Cromwell presented himself now opened its gates without resistance. Ross, though strongly garrisoned, was surrounded by Lord Taffe. Having taken Estionage, Cromwell threw a bridge over the Barrow, and made himself master of Passage and Carric. The Eng-

<sup>8</sup> Parliamentary History, vol. xix. p. 165.

lish had no further difficulties to encounter than what arose from fatigue and the advanced season. Fluxes and contagious distempers crept in among the soldiers, who perished in great numbers. Jones himself, the brave governor of Dublin, died at Wexford; and Cromwell had so far advanced with his decayed army that he began to find it difficult either to subsist in the enemy's country or retreat to his own garrisons. But while he was in these straits, Cork, Kinsale, and all the English garrisons in Munster deserted to him, and, opening their gates, resolved to share the fortunes of their victorious countrymen.

This desertion of the English put an end to Ormond's authority, which was already much diminished by the misfortunes at Dublin, Tredah, and Wexford. The Irish, actuated by national and religious prejudices, could no longer be kept in obedience by a Protestant governor who was so unsuccessful in all his enterprises. The clergy renewed their excommunications against him and his adherents, and added the terrors of superstition to those which arose from a victorious enemy. Cromwell, having received a reinforcement from England, again took the field early in the spring. He made himself master of Kilkenny and Clonmel, the only places where he met with any vigorous resistance. The whole frame of the Irish union being in a manner dissolved, Ormond soon after left the island and delegated his authority to Clanricarde, who found affairs so desperate as to admit of no remedy. The Irish were glad to embrace banishment as a refuge. Above forty thousand men passed into foreign service; and Cromwell, well pleased to free the island from enemies who never could be cordially reconciled to the English, gave them full liberty and leisure for their embarkation.

While Cromwell proceeded with such uninterrupted success in Ireland, which in the space of nine months he had almost entirely subdued, fortune was preparing for him a new scene of victory and triumph in Scotland. Charles was at the Hague when Sir Joseph Douglas brought him intelligence that he was proclaimed king by the Scottish Parliament. At the same time, Douglas informed him of the hard conditions annexed to the proclamation, and extremely damped that joy which might arise from his being recognized sovereign in one of his kingdoms. Charles, too, considered that those who pretended to acknowledge his title were at that very time in actual rebellion against his family,

and would be sure to intrust very little authority in his hands, and scarcely would afford him personal liberty and security. As the prospect of affairs in Ireland was at that time not unpromising, he intended rather to try his fortune in that kingdom, from which he expected more dutiful submission and obedience.

Meanwhile he found it expedient to depart from Holland. The people in the United Provinces were much attached to his interests. Besides his connection with the family of Orange, which was extremely beloved by the populace, all men regarded with compassion his helpless condition, and expressed the greatest abhorrence against the murder of his father—a deed to which nothing, they thought, but the rage of fanaticism and faction could have impelled the Parliament. But though the public in general bore great favor to the king, the States were uneasy at his presence. They dreaded the Parliament, so formidable by their power and so prosperous in all their enterprises. They apprehended the most precipitate resolutions from men of such violent and haughty dispositions; and after the murder of Dorislaus, they found it still more necessary to satisfy the English commonwealth by removing the king to a distance from them.

[1650.] Dorislaus, though a native of Holland, had lived long in England; and being employed as assistant to the high court of justice which condemned the late king, he had risen to great credit and favor with the ruling party. They sent him envoy to Holland; but no sooner had he arrived at the Hague than he was set upon by some royalists, chiefly retainers to Montrose. They rushed into the room where he was sitting with some company, dragged him from the table, put him to death as the first victim to their murdered sovereign, very leisurely and peaceably separated themselves; and, though orders were issued by the magistrates to arrest them, these were executed with such slowness and reluctance that the criminals had all of them the opportunity of making their escape.

Charles, having passed some time at Paris, where no assistance was given him, and even few civilities were paid him, made his retreat into Jersey, where his authority was still acknowledged. Here Winram, Laird of Liberton, came to him as deputy from the Committee of Estates in Scotland, and informed him of the conditions to which he must necessarily submit before he could be admitted to the exercise of



his authority. Conditions more severe were never imposed by subjects upon their sovereign ; but as the affairs of Ireland began to decline, and the king found it no longer safe to venture himself in that island, he gave a civil answer to Winram, and desired the commissioners to meet him at Breda, in order to enter into a treaty with regard to these conditions.

The Earls of Cassilis and Lothian, Lord Burleigh, the Laird of Liberton, and other commissioners arrived at Breda, but without any power of treating ; the king must submit, without reserve, to the terms imposed upon him. The terms were that he should issue a proclamation, banishing from court all excommunicated persons—that is, all those who, either under Hamilton or Montrose, had ventured their lives for his family ; that no English subject who had served against the Parliament should be allowed to approach him ; that he should bind himself by his royal promise to take the covenant ; that he should ratify all acts of Parliament by which Presbyterian government, the directory of worship, the confession of faith, and the catechism were established ; and that in civil affairs he should entirely conform himself to the direction of Parliament, and in ecclesiastical to that of the assembly. These proposals, the commissioners, after passing some time in sermons and prayers, in order to express the more determined resolution, very solemnly delivered to the king.

The king's friends were divided with regard to the part which he should act in this critical conjuncture. Most of his English counsellors dissuaded him from accepting conditions so disadvantageous and dishonorable. They said that the men who now governed Scotland were the most furious and bigoted of that party which, notwithstanding his gentle government, had first excited a rebellion against the late king ; after the most unlimited concessions, had renewed their rebellion, and stopped the progress of his victories in England ; and after he had intrusted his person to them in his uttermost distress, had basely sold him, together with their own honor, to his barbarous enemies : that they had as yet shown no marks of repentance, and even in the terms which they now proposed displayed the same anti-monarchical principles and the same jealousy of their sovereign by which they had ever been actuated : that nothing could be more dishonorable than that the king, in his first enterprise, should sacrifice, merely for the empty name of royalty, those

principles for which his father had died a martyr, and in which he himself had been strictly educated : that by this hypocrisy he might lose the royalists, who alone were sincerely attached to him, but never would gain the Presbyterians, who were averse to his family and his cause, and would ascribe his compliance merely to policy and necessity : that the Scots had refused to give him any assurances of their intending to restore him to the throne of England ; and could they even be brought to make such an attempt, it had sufficiently appeared, by the event of Hamilton's engagement, how unequal their force was to so great an enterprise : that on the first check which they should receive, Argyle and his partisans would lay hold of the quickest expedient for reconciling themselves to the English Parliament, and would betray the king, as they had done his father, into the hands of his enemies ; and that, however desperate the royal cause, it must still be regarded as highly imprudent in the king to make a sacrifice of his honor, where the sole purchase was to endanger his life or liberty.

The Earl of Lanerc, now Duke of Hamilton, the Earl of Lauderdale, and others of that party who had been banished their country for the late engagement, were then with the king ; and, being desirous of returning home in his retinue, they joined the opinion of the young Duke of Buckingham, and earnestly pressed him to submit to the conditions required of him. It was urged that nothing would more gratify the king's enemies than to see him fall into the snare laid for him, and by so scrupulous a nicety leave the possession of his dominions to those who desired but a pretence for excluding him ; that Argyle, not daring so far to oppose the bent of the nation as to throw off all allegiance to his sovereign, had embraced this expedient, by which he hoped to make Charles dethrone himself, and refuse a kingdom which was offered him ; that it was not to be doubted but the same national spirit, assisted by Hamilton and his party, would rise still higher in favor of their prince after he had intrusted himself to their fidelity, and would much abate the rigor of the conditions now imposed upon him ; that whatever might be the present intentions of the ruling party, they must unavoidably be engaged in a war with England, and must accept the assistance of the king's friends of all parties, in order to support themselves against a power so much superior ; that how much soever a steady, uniform conduct might have been suitable to the advanced age and

strict engagements of the late king, no one would throw any blame on a young prince for complying with conditions which necessity had extorted from him; that even the rigor of those principles professed by his father, though with some it had exalted his character, had been extremely prejudicial to his interests; nor could anything be more serviceable to the royal cause than to give all parties room to hope for more equal and more indulgent maxims of government; and that, where affairs were reduced to so desperate a situation, dangers ought little to be regarded; and the king's honor lay rather in showing some early symptoms of courage and activity than in choosing strictly a party among theological controversies with which, it might be supposed, he was as yet very little acquainted.

These arguments, seconded by the advice of the queen-mother, and of the Prince of Orange, the king's brother-in-law, who both of them thought it ridiculous to refuse a kingdom merely from regard to episcopacy, had great influence on Charles. But what chiefly determined him to comply was the account brought him of the fate of Montrose, who, with all the circumstances of rage and contumely, had been put to death by his zealous countrymen. Though in this instance the king saw more evidently the furious spirit by which the Scots were actuated, he had now no further resource, and was obliged to grant whatever was demanded of him.

Montrose, having laid down his arms at the command of the late king, had retired into France, and, contrary to his natural disposition, had lived for some time inactive at Paris. He there became acquainted with the famous Cardinal de Retz; and that penetrating judge celebrates him in his memoirs as one of those heroes of whom there are no longer any remains in the world, and who are only to be met with in Plutarch. Desirous of improving his martial genius, he took a journey to Germany, was caressed by the emperor, received the rank of *mareschal*, and proposed to levy a regiment for the imperial service. While employed for that purpose in the Low Countries, he heard of the tragical death of the king; and at the same time received from his young master a renewal of his commission as captain-general in Scotland.<sup>9</sup> His ardent and daring spirit needed but this authority to put him in action. He gathered followers in Holland and the north of Germany, whom his great reputa-

<sup>9</sup> Burnet. Clarendon.

tion allured to him. The King of Denmark and Duke of Holstein sent him some small supply of money; the Queen of Sweden furnished him with arms; the Prince of Orange with ships; and Montrose, hastening his enterprise, lest the king's agreement with the Scots should make him revoke his commission, set out for the Orkneys with about five hundred men, most of them Germans. These were all the preparations which he could make against a kingdom settled in domestic peace, supported by a disciplined army, fully apprised of his enterprise, and prepared against him. Some of his retainers having told him of a prophecy that "To him, and him alone, it was reserved to restore the king's authority in all his dominions," he lent a willing ear to suggestions which, however ill-grounded or improbable, were so conformable to his own daring character.

He armed several of the inhabitants of the Orkneys, though an unwarlike people, and carried them over with him to Caithness, hoping that the general affection to the king's service, and the fame of his former exploits, would make the Highlanders flock to his standard. But all men were now harassed and fatigued with wars and disorders. Many of those who formerly adhered to him had been severely punished by the Covenanters, and no prospect of success was entertained in opposition to so great a force as was drawn together against him. But however weak Montrose's army, the memory of past events struck a great terror into the committee of estates. They immediately ordered Lesley and Holborne to march against him with an army of four thousand men. Strahan was sent before with a body of cavalry to check his progress. He fell unexpectedly on Montrose, who had no horse to bring him intelligence. The royalists were put to flight; all of them either killed or taken prisoners; and Montrose himself, having put on the disguise of a peasant, was perfidiously delivered into the hands of his enemies by a friend to whom he had intrusted his person.

All the insolence which success can produce in ungenerous minds was exercised by the Covenanters against Montrose, whom they so much hated and so much dreaded. Theological antipathy further increased their indignities towards a person whom they regarded as impious on account of the excommunication which had been pronounced against him. Lesley led him about for several days in the same low habit under which he had disguised himself. The vulgar, where-



ever he passed, were instigated to reproach and vilify him. When he came to Edinburgh, every circumstance of elaborate rage and insult was put in practice by order of the Parliament. At the gate of the city he was met by the magistrates, and put into a new cart, purposely made with a high chair or bench, where he was placed that the people might have a full view of him. He was bound with a cord drawn over his breast and shoulders, and fastened through holes made in the cart. The hangman then took off the hat of the noble prisoner and rode himself before the cart in his livery, and with his bonnet on; the other officers who were taken prisoners with the marquis walking two and two before them.

The populace, more generous and humane, when they saw so mighty a change of fortune in this great man, so lately their dread and terror, into whose hands the magistrates, a few years before, had delivered on their knees the keys of the city, were struck with compassion, and viewed him with silent tears and admiration. The preachers, next Sunday, exclaimed against this movement of rebel nature, as they termed it, and reproached the people with their profane tenderness towards the capital enemy of piety and religion.

When he was carried before the Parliament, which was then sitting, Loudon, the chancellor, in a violent declamation, reprehended him with the breach of the national covenant which he had subscribed; his rebellion against God, the king, and the kingdom; and the many horrible murders, treasons, and impieties, for which he was now to be brought to condign punishment. Montrose, in his answer, maintained the same superiority above his enemies to which, by his fame and great actions as well as by the consciousness of a good cause, he was justly entitled. He told the Parliament that since the king, as he was informed, had so far avowed their authority as to enter into a treaty with them, he now appeared uncovered before their tribunal—a respect which, while they stood in open defiance to their sovereign, they would in vain have required of him. That he acknowledged, with infinite shame and remorse, the errors of his early conduct, when their plausible pretences had seduced him to tread with them the paths of rebellion, and bear arms against his prince and country. That his following services, he hoped, had sufficiently testified his repentance; and his death would now atone for that guilt, the only one

with which he could justly reproach himself. That in all his warlike enterprises he was warranted by that commission, which he had received from his and their master, against whose lawful authority they had erected their standard. That to venture his life for his sovereign was the least part of his merit; he had even thrown down his arms in obedience to the sacred commands of the king, and had resigned to them the victory which, in defiance of all their efforts, he was still enabled to dispute with them. That no blood had ever been shed by him but in the field of battle; and many persons were now in his eye, many who now dared to pronounce sentence of death upon him, whose life, forfeited by the laws of war, he had formerly saved from the fury of the soldiers. That he was sorry to find no better testimony of their return to allegiance than the murder of so faithful a subject, in whose death the king's commission must be at once so highly injured and affronted. That as to himself, they had in vain endeavored to vilify and degrade him by all their studied indignities; the justice of his cause, he knew, would ennoble any fortune; nor had he other affliction than to see the authority of his prince, with which he was invested, treated with so much ignominy. And that he now joyfully followed, by a like unjust sentence, his late sovereign; and should be happy if, in his future destiny, he could follow him to the same blissful mansions, where his piety and humane virtues had already, without doubt, secured him an eternal recompense.

Montrose's sentence was next pronounced against him, "That he, James Graham" (for that was the only name they vouchsafed to give him), "should next day be carried to Edinburgh Cross, and there be hanged on a gibbet, thirty feet high, for the space of three hours; then be taken down, his head be cut off upon a scaffold, and affixed to the prison; his legs and arms be stuck upon the four chief towns of the kingdom; his body be buried in the place appropriated for common malefactors, except the Church, upon his repentance, should take off his excommunication."

The clergy, hoping that the terrors of immediate death had now given them an advantage over their enemy, flocked about him, and insulted over his fallen fortunes. They pronounced his damnation, and assured him that the judgment which he was so soon to suffer would prove but an

easy prologue to that which he must undergo hereafter. They next offered to pray with him ; but he was too well acquainted with those forms of imprecation which they called prayers. "Lord, vouchsafe yet to touch the obdurate heart of this proud, incorrigible sinner ; this wicked, perjured, traitorous, and profane person, who refuses to hearken to the voice of thy Church." Such were the petitions which he expected they would, according to custom, offer up for him. He told them that they were a miserably deluded and deluding people, and would shortly bring their country under the most insupportable servitude to which any nation had ever been reduced. "For my part," added he, "I am much prouder to have my head affixed to the place where it is sentenced to stand than to have my picture hang in the king's bedchamber. So far from being sorry that my quarters are to be sent to four cities of the kingdom, I wish I had limbs enow to be dispersed into all the cities of Christendom, there to remain as testimonies in favor of the cause for which I suffer." This sentiment, that very evening, while in prison, he threw into verse. The poem remains—a signal monument of his heroic spirit, and no despicable proof of his poetical genius.

Now was led forth, amid the insults of his enemies and the tears of the people, this man of illustrious birth and of the greatest renown in the nation, to suffer, for his adhering to the laws of his country and the rights of his sovereign, the ignominious death destined to the meanest malefactor. Every attempt which the insolence of the governing party had made to subdue his spirit had hitherto proved fruitless. They made yet one effort more in this last and melancholy scene, when all enmity arising from motives merely human is commonly softened and disarmed. The executioner brought that book, which had been published in elegant Latin, of his great military actions, and tied it by a cord about his neck. Montrose smiled at this new instance of their malice. He thanked them, however, for their officious zeal ; and said that he bore this testimony of his bravery and loyalty with more pride than he had ever worn the Garter. Having asked whether they had any more indignities to put upon him, and renewing some devout ejaculations, he patiently endured the last act of the executioner.

Thus perished, in the thirty-eighth year of his age, the gallant Marquis of Montrose, the man whose military

genius, both by valor and conduct, had shone forth beyond any which, during these civil disorders, had appeared in the three kingdoms. The finer arts, too, he had in his youth successfully cultivated; and whatever was sublime, elegant, or noble touched his great soul. Nor was he insensible to the pleasures either of society or of love. Something, however, of the *vast* and *unbounded* characterized his actions and deportment; and it was merely by an heroic effort of duty that he brought his mind, impatient of superiority, and even of equality, to pay such unlimited submission to the will of his sovereign.

The vengeance of the Covenanters was not satisfied with Montrose's execution. Urrey, whose inconstancy now led him to take part with the king, suffered about the same time. Spotiswood of Daersie, a youth of eighteen, Sir Francis Hay of Dalgetie, and Colonel Sibbald, all of them of birth and character, underwent a like fate. These were taken prisoners with Montrose. The Marquis of Huntley, about a year before, had also fallen a victim to the severity of the Covenanters.

The past scene displays in a full light the barbarity of this theological faction; the sequel will sufficiently display their absurdity.

The king, in consequence of his agreement with the commissioners of Scotland, set sail for that country; and being escorted by seven Dutch ships of war, who were sent to guard the herring fishery, he arrived in the frith of Cromarty. Before he was permitted to land, he was required to sign the covenant; and many sermons and lectures were made him exhorting him to persevere in that holy confederacy.<sup>10</sup> Hamilton, Lauderdale, Dumfermling, and other noblemen of that party whom they called Engagers, were immediately separated from him, and obliged to retire to their houses, where they lived in a private manner without trust or authority. None of his English friends who had served his father were allowed to remain in the kingdom. The king himself found that he was considered as a mere pageant of state, and that the few remains of royalty which he possessed served only to draw on him the greater indignities. One of the quarters of Montrose, his faithful servant who had borne his commission, had been sent to Aberdeen, and was still allowed to hang over the gates

<sup>10</sup> Sir Edward Walker's Historical Discourses, p. 159.



when he passed by that place.<sup>11</sup> The general assembly, and afterwards the committee of estates and the army, who were entirely governed by the assembly, set forth a public declaration in which they protested "that they did not espouse any malignant quarrel or party, but fought merely on their former grounds or principles; that they disclaimed all the sins and guilt of the king and of his house; nor would they own him or his interest otherwise than with a subordination to God, and so far as he owned and prosecuted the cause of God and acknowledged the sins of his house and of his former ways."<sup>12</sup>

The king, lying entirely at mercy, and having no assurance of life or liberty further than was agreeable to the fancy of these austere zealots, was constrained to embrace a measure which nothing but the necessity of his affairs and his great youth and inexperience could excuse. He issued a declaration such as they required of him.<sup>13</sup> He there gave thanks for the merciful dispensations of Providence by which he was recovered from the snare of evil counsel, had attained a full persuasion of the righteousness of the covenant, and was induced to cast himself and his interests wholly upon God. He desired to be deeply humbled and afflicted in spirit because of his father's following wicked measures, opposing the covenant and the work of reformation, and shedding the blood of God's people throughout all his dominions. He lamented the idolatry of his mother, and the toleration of it in his father's house—a matter of great offence, he said, to all the Protestant churches, and a great provocation to him who is a jealous God, visiting the sins of the father upon the children. He professed that he would have no enemies but the enemies of the covenant; and that he detested all popery, superstition, prelacy, heresy, schism, and profaneness; and was resolved not to tolerate, much less to countenance, any of them in any of his dominions. He declared that he should never love or favor those who had so little conscience as to follow his interests in preference to the Gospel and the kingdom of Jesus Christ. And he expressed his hope that, whatever ill success his former guilt might have drawn upon his cause, yet now, having obtained mercy to be on God's side and to acknowledge his own cause subordinate to that of God, divine Providence would crown his arms with victory.

<sup>11</sup> Sir Edward Walker's *Historical Discourses*, p. 160.

<sup>12</sup> Sir Edward Walker's *Historical Discourses*, pp. 166, 167

<sup>13</sup> Sir Edward Walker's *Historical Discourses*, p. 170.

Still the Covenanters and the clergy were diffident of the king's sincerity. The facility which he discovered in yielding whatever was required of him made them suspect that he regarded his concessions merely as ridiculous farces to which he must of necessity submit. They had another trial prepared for him. Instead of the solemnity of his coronation, which was delayed, they were resolved that he should pass through a public humiliation, and do penance before the whole people. They sent him twelve articles of repentance which he was to acknowledge; and the king had agreed that he would submit to this indignity. The various transgressions of his father and grandfather, together with the idolatry of his mother, are again enumerated and aggravated in these articles; and further declarations were insisted on, that he sought the restoration of his rights for the sole advancement of religion, and in subordination to the kingdom of Christ.<sup>14</sup> In short, having exalted the altar above the throne and brought royalty under their feet, the clergy were resolved to trample on it and vilify it by every instance of contumely which their present influence enabled them to impose upon their unhappy prince.

Charles in the mean time found his authority entirely annihilated, as well as his character degraded. He was consulted in no public measure. He was not called to assist at any councils. His favor was sufficient to discredit any pretender to office or advancement. All efforts which he made to unite the opposite parties increased the suspicion which the Covenanters had entertained of him, as if he were not entirely their own. Argyle, who, by subtleties and compliances, was partly led and partly governed by this wild faction, still turned a deaf ear to all advances which the king made to enter into confidence with him. Malignants and engagers continued to be the objects of general hatred and persecution; and whoever was obnoxious to the clergy failed not to have one or other of these epithets affixed to him. The fanaticism which prevailed, being so full of sour and angry principles, and so overcharged with various antipathies, had acquired a new object of abhorrence: these were the *sorcerers*. So prevalent was the opinion of witchcraft that great numbers accused of that crime were burned, by sentence of the magistrates, throughout all parts of Scotland. In a village near Berwick, which contained only

<sup>14</sup> Sir Edward Walker's Historical Discourses, p. 178.

fourteen houses, fourteen persons were punished by fire;<sup>15</sup> and it became a science, everywhere much studied and cultivated, to distinguish a true witch by proper trials and symptoms.<sup>16</sup>

The advance of the English army under Cromwell was not able to appease or soften the animosities among the parties in Scotland. The clergy were still resolute to exclude all but their most zealous adherents. As soon as the English Parliament found that the treaty between the king and the Scots would probably terminate in an accommodation, they made preparations for a war which they saw would in the end prove inevitable. Cromwell, having broken the force and courage of the Irish, was sent for; and he left the command of Ireland to Ireton, who governed that kingdom in the character of deputy, and with vigilance and industry persevered in the work of subduing and expelling the natives.

It was expected that Fairfax, who still retained the name of general, would continue to act against Scotland, and appear at the head of the forces—a station for which he was well qualified, and where alone he made any figure. But Fairfax, though he had allowed the army to make use of his name in murdering their sovereign and offering violence to the Parliament, had entertained insurmountable scruples against invading the Scots, whom he considered as zealous Presbyterians, and united to England by the sacred bands of the covenant. He was further disgusted at the extremities into which he had already been hurried; and was confirmed in his repugnance by the exhortations of his wife, who had great influence over him, and was herself much governed by the Presbyterian clergy. A committee of Parliament was sent to reason with him, and Cromwell was of the number. In vain did they urge that the Scots had first broken the covenant by their invasion of England under Hamilton, and that they would surely renew their hostile attempts if not prevented by the vigorous measures of the commonwealth. Cromwell, who knew the rigid inflexibility of Fairfax in everything which he regarded as matter of principle, ventured to solicit him with the utmost earnestness, and went so far as to shed tears of grief and vexation on the occasion. No one could suspect any ambition in the man who labored so zealously to retain his general in that high office which, he knew, he himself was alone

<sup>15</sup> Whitlocke, pp. 404, 408.

<sup>16</sup> Whitlocke, pp. 396, 418.

entitled to fill. The same warmth of temper which made Cromwell a frantic enthusiast rendered him the most dangerous of hypocrites; and it was to this turn of mind, as much as to his courage and capacity, that he owed all his wonderful successes. By the contagious ferment of his zeal he engaged every one to co-operate with him in his measures; and, entering easily and affectionately into every part which he was disposed to act, he was enabled, even after multiplied deceits, to cover, under a tempest of passion, all his crooked schemes and profound artifices.

Fairfax having resigned his commission, it was bestowed on Cromwell, who was declared captain-general of all the forces in England. This command, in a commonwealth which stood entirely by arms, was of the utmost importance and was the chief step which this ambitious politician had yet made towards sovereign power. He immediately marched his forces, and entered Scotland with an army of sixteen thousand men.

The command of the Scottish army was given to Lesley, an experienced officer, who formed a very proper plan of defence. He intrenched himself in a fortified camp between Edinburgh and Leith, and took care to remove from the counties of Merse and the Lothians everything which could serve to the subsistence of the English army. Cromwell advanced to the Scotch camp, and endeavored by every expedient to bring Lesley to a battle; the prudent Scotchman knew that, though superior in numbers, his army was much inferior in discipline to the English, and he carefully kept himself within his intrenchments. By skirmishes and small rencounters he tried to confirm the spirits of his soldiers, and he was successful in these enterprises. His army daily increased both in number and courage. The king came to the camp, and having exerted himself in an action, gained on the affections of the soldiery, who were more desirous of serving under a young prince of spirit and vivacity than under a committee of talking gownmen. The clergy were alarmed. They ordered Charles immediately to leave the camp. They also purged it carefully of about four thousand malignants and engagers, whose zeal had led them to attend the king, and who were the soldiers of chief credit and experience in the nation.<sup>17</sup> They then concluded that they had an army composed entirely of saints, and could not be beaten. They murmured extremely not only

<sup>17</sup> Sir Edward Walker, p. 165.



against their prudent general, but also against the Lord, on account of his delays in giving them deliverance ;<sup>18</sup> and they plainly told him that if he would not save them from the English sectaries, he should no longer be their God.<sup>19</sup> An advantage having offered itself on a Sunday, they hindered the general from making use of it lest he should involve the nation in the guilt of Sabbath-breaking.

Cromwell found himself in a very bad situation. He had no provisions but what he received by sea. He had not had the precaution to bring these in sufficient quantities, and his army was reduced to difficulties. He retired to Dunbar. Lesley followed him, and he encamped on the heights of Lamermure, which overlook that town. There lay many difficult passes between Dunbar and Berwick, and of these Lesley had taken possession. The English general was reduced to extremities. He had even embraced a resolution of sending by sea all his foot and artillery to England, and of breaking through at all hazards with his cavalry. The madness of the Scottish ecclesiastics saved him from this loss and dishonor.

Night and day the ministers had been wrestling with the Lord in prayer, as they term it ; and they fancied that they had at last obtained the victory. Revelations, they said, were made them that the sectarian and heretical army, together with Agag, meaning Cromwell, was delivered into their hands. Upon the faith of these visions, they forced their general, in spite of his remonstrances, to descend into the plain with a view of attacking the English in their retreat. Cromwell, looking through a glass, saw the enemy's camp in motion, and foretold, without the help of revelations, that the Lord had delivered them into *his* hands. He gave orders immediately for an attack. In this battle it was easily observed that nothing in military actions can supply the place of discipline and experience ; and that, in the presence of real danger, where men are not accustomed to it, the fumes of enthusiasm presently dissipate and lose their influence. The Scots, though double in number to the English, were soon put to flight, and pursued with great slaughter. The chief if not only resistance was made by one regiment of Highlanders, that part of the army which was the least infected with fanaticism. No victory could be more complete than this which was obtained by Cromwell. About three thousand of the enemy were slain, and

<sup>18</sup> Sir Edward Walker, p. 168.

<sup>19</sup> Whitlocke, p. 449.

nine thousand taken prisoners. Cromwell pursued his advantage, and took possession of Edinburgh and Leith. The remnant of the Scottish army fled to Stirling. The approach of the winter season, and an ague which seized Cromwell, kept him from pushing the victory any further.

The clergy made great lamentations, and told the Lord that to them it was little to sacrifice their lives and estates, but to him it was a great loss to suffer his elect to be destroyed.<sup>20</sup> They published a declaration containing the cause of their late misfortunes. These visitations they ascribed to the manifold provocations of the king's house, of which they feared he had not yet thoroughly repented; the secret intrusion of malignants into the king's family and even into the camp; the leaving of a most malignant and profane guard of horse, who, being sent for to be purged, came two days before the defeat, and were allowed to fight with the army; the owning of the king's quarrel by many without subordination to religion and liberty; and the carnal self-seeking of some, together with the neglect of family prayers by others.

Cromwell, having been so successful in the war of the sword, took up the pen against the Scottish ecclesiastics. He wrote them some polemical letters, in which he maintained the chief points of the Independent theology. He took care likewise to retort on them their favorite argument of providence, and asked them whether the Lord had not declared against them? But the ministers thought that the same events which to their enemies were judgments, to them were trials; and they replied that the Lord had only hidden his face for a time from Jacob. But Cromwell insisted that the appeal had been made to God in the most express and solemn manner, and that, in the field of Dunbar, an irrevocable decision had been awarded in favor of the English army.<sup>21</sup>

<sup>20</sup> Sir Edward Walker.

<sup>21</sup> This is the best of Cromwell's wretched compositions that remain, and we shall here extract a passage out of it: "You say you have not so learned Christ as to hang the equity of your cause upon events. We could wish that blindness had not been upon your eyes to all those marvellous dispensations which God had wrought lately in England. But did not you solemnly appeal and pray? Did not we do so too? And ought not we and you to think, with fear and trembling, of the hand of the great God in this mighty and strange appearance of his, but can slightly call it an event? Were not both your and our expectations renewed from time to time, while we waited on God, to see which way he would manifest himself upon our appeals? And shall we, after all these our prayers, fastings, tears, expectations, and solemn appeals, call these mere events? The Lord pity you! Surely we fear, because it has been a merciful and a gracious deliverance to us.

"I beseech you in the bowels of Christ, search after the mind of the Lord in

[1651.] The defeat of the Scots was regarded by the king as a fortunate event. The armies which fought on both sides were almost equally his enemies; and the vanquished were now obliged to give him some more authority, and apply to him for support. The Parliament was summoned to meet at St. Johnstone's. Hamilton, Lauderdale, and all the engagers were admitted into court and camp, on condition of doing public penance and expressing repentance for their late transgressions. Some malignants also crept in under various pretences. The intended humiliation or penance of the king was changed into the ceremony of his coronation, which was performed at Scone with great pomp and solemnity. But amid all this appearance of respect, Charles remained in the hands of the most rigid Covenanters; and, though treated with civility and courtesy by Argyle, a man of parts and address, he was little better than a prisoner, and was still exposed to all the rudeness and pedantry of the ecclesiastics.

This young prince was in a situation which very ill suited his temper and disposition. All those good qualities which he possessed — his affability, his wit, his gayety, his gentlemanlike, disengaged behavior — were here so many vices; and his love of ease, liberty, and pleasure was regarded as the highest enormity. Though artful in the practice of courtly dissimulation, the sanctified style was utterly unknown to him, and he never could mould his deportment into that starched grimace which the Covenanters required as an infallible mark of conversion. The Duke of Buckingham was the only English courtier allowed to attend him, and by his ingenious talent for ridicule he had rendered himself extremely agreeable to his master. While so many objects of division surrounded them, it was difficult to be altogether insensible to the temptation, and wholly to suppress the laugh. Obligated to attend from morning to night at prayers and sermons, they betrayed evident symptoms of weariness or contempt. The clergy never could esteem the king sufficiently regenerated; and by continual exhortations, remonstrances, and reprimands, they still endeavored to bring him to a juster sense of his spiritual duty.

The king's passion for the fair could not altogether be restrained. He had once been observed using some familiar-

it towards you, and we shall help you by our prayers that you may find it. For yet, if we know our heart at all, our bowels do in Christ yearn after the godly in Scotland."—Thurloe, vol. i. p. 158.

ities with a young woman; and a committee of ministers was appointed to reprove him for a behavior so unbecoming a covenanted monarch. The spokesman of the committee, one Douglas, began with a severe aspect, informed the king that great scandal had been given to the godly, enlarged on the heinous nature of sin, and concluded with exhorting his majesty, whenever he was disposed to amuse himself, to be more careful, for the future, in shutting the windows. This delicacy, so unusual to the place and to the character of the man, was remarked by the king, and he never forgot the obligation.

The king, shocked at all the indignities, and perhaps still more tired with all the formalities to which he was obliged to submit, made an attempt to regain his liberty. General Middleton, at the head of some royalists, being proscribed by the Covenanters, kept in the mountains, expecting some opportunity of serving his master. The king resolved to join this body. He secretly made his escape from Argyle, and fled towards the Highlands. Colonel Montgomery, with a troop of horse, was sent in pursuit of him. He overtook the king, and persuaded him to return. The royalists, being too weak to support him, Charles was the more easily induced to comply. This incident procured him afterwards better treatment and more authority, the Covenanters being afraid of driving him by their rigors to some desperate resolution. Argyle renewed his courtship to the king, and the king, with equal dissimulation, pretended to repose great confidence in Argyle. He even went so far as to drop hints of his intention to marry that nobleman's daughter; but he had to do with a man too wise to be seduced by such gross artifices.

As soon as the season would permit, the Scottish army was assembled under Hamilton and Lesley, and the king was allowed to join the camp. The forces of the western counties, notwithstanding the imminent danger which threatened their country, were resolute not to unite their cause with that of an army which admitted any engagers or malignants among them, and they kept in a body apart under Ker. They called themselves the *protesters*, and their frantic clergy declaimed equally against the king and against Cromwell. The other party were denominated *resolutioners*; and these distinctions continued long after to divide and agitate the kingdom.

Charles encamped at the Torwood, and his generals re-



solved to conduct themselves by the same cautious maxims which, so long as they were embraced, had been successful during the former campaign. The town of Stirling lay at his back, and the whole north supplied him with provisions. Strong intrenchments defended his front, and it was in vain that Cromwell made every attempt to bring him to an engagement. After losing much time, the English general sent Lambert over the frith into Fife, with an intention of cutting off the provisions of the enemy. Lambert fell upon Holborne and Brown, who commanded a party of the Scots, and put them to rout with great slaughter. Cromwell also passed over with his whole army, and, lying at the back of the king, made it impossible for him to keep his post any longer.

Charles, reduced to despair, embraced a resolution worthy of a young prince contending for empire. Having the way open, he resolved immediately to march into England, where he expected that all his friends, and all those who were discontented with the present government, would flock to his standard. He persuaded the generals to enter into the same views; and with one consent the army, to the number of fourteen thousand men, rose from their camp, and advanced by great journeys towards the south.

Cromwell was surprised at this movement of the royal army. Wholly intent on offending his enemy, he had exposed his friends to imminent danger, and saw the king with numerous forces marching into England, where his presence, from the general hatred which prevailed against the Parliament, was capable of producing some great revolution. But if this conduct was an oversight in Cromwell, he quickly repaired it by his vigilance and activity. He despatched letters to the Parliament, exhorting them not to be dismayed at the approach of the Scots; he sent orders everywhere for assembling forces to oppose the king; he ordered Lambert with a body of cavalry to hang upon the rear of the royal army and infest their march; and he himself, leaving Monk with seven thousand men to complete the reduction of Scotland, followed the king with all the expedition possible.

Charles found himself disappointed in his expectations of increasing his army. The Scots, terrified at the prospect of so hazardous an enterprise, fell off in great numbers. The English Presbyterians, having no warning given them of the king's approach, were not prepared to join him. To the royalists this measure was equally unexpected, and they were

further deterred from joining the Scottish army by the orders which the committee of ministers had issued, not to admit any, even in this desperate extremity, who would not subscribe the covenant. The Earl of Derby, leaving the Isle of Man, where he had hitherto maintained his independence, was employed in levying forces in Cheshire and Lancashire, but was soon suppressed by a party of the parliamentary army; and the king, when he arrived at Worcester, found that his forces, extremely harassed by a hasty and fatiguing march, were not more numerous than when he rose from his camp in the Torwood.

Such is the influence of established government that the commonwealth, though founded in usurpation the most unjust and unpopular, had authority sufficient to raise everywhere the militia of the counties; and these, united with the regular forces, bent all their efforts against the king. With an army of about thirty thousand men, Cromwell fell upon Worcester, and, attacking it on all sides, and meeting with little resistance, except from Duke Hamilton and General Middleton, broke in upon the disordered royalists. The streets of the city were strewn with dead. Hamilton, a nobleman of bravery and honor, was mortally wounded; Massey wounded and taken prisoner; the king himself, having given many proofs of personal valor, was obliged to fly. The whole Scottish army was either killed or taken prisoners. The country people, inflamed with national antipathy, put to death the few that escaped from the field of battle.

The king left Worcester at six o'clock in the afternoon, and, without halting, travelled about twenty-six miles in company with fifty or sixty of his friends. To provide for his safety, he thought it best to separate himself from his companions, and he left them without communicating his intentions to any of them. By the Earl of Derby's directions he went to Boscobel, a lone house in the borders of Staffordshire, inhabited by one Penderell, a farmer. To this man Charles intrusted himself. The man had dignity of sentiments much above his condition, and though death was denounced against all who concealed the king, and a great reward promised to any one who should betray him, he professed and maintained unshaken fidelity. He took the assistance of his four brothers, equally honorable with himself, and having clothed the king in a garb like their own, they led him into the neighboring wood, put a bill into his

hand, and pretended to employ themselves in cutting fagots. Some nights he lay upon straw in the house, and fed on such homely fare as it afforded. For a better concealment he mounted upon an oak, where he sheltered himself among the leaves and branches for twenty-four hours. He saw several soldiers pass by. All of them were intent in search of the king, and some expressed, in his hearing, their earnest wishes of seizing him. This tree was afterwards denominated the *royal oak*, and for many years was regarded by the neighborhood with great veneration.

Charles was in the middle of the kingdom, and could neither stay in his retreat nor stir a step from it without the most imminent danger. Fear, hopes, and party zeal, interested multitudes to discover him, and even the smallest indiscretion of his friends might prove fatal. Having joined Lord Wilmot, who was skulking in the neighborhood, they agreed to put themselves into the hands of Colonel Lane, a zealous royalist, who lived at Bentley, not many miles distant. The king's feet were so hurt by walking about in heavy boots or countrymen's shoes which did not fit him, that he was obliged to mount on horseback; and he travelled in this situation to Bentley, attended by the Penderells, who had been so faithful to him. Lane formed a scheme for his journey to Bristol, where, it was hoped, he would find a ship in which he might transport himself. He had a near kinswoman, Mrs. Norton, who lived within three miles of that city, and was with child, very near the time of her delivery. He obtained a pass (for during those times of confusion this precaution was requisite) for his sister, Jane Lane, and a servant, to travel towards Bristol, under pretence of visiting and attending her relation. The king rode before the lady and personated the servant.

When they arrived at Norton's, Mrs. Lane pretended that she had brought along as her servant a poor lad, a neighboring farmer's son, who was ill of an ague, and she begged a private room for him, where he might be quiet. Though Charles kept himself retired in this chamber, the butler, one Pope, soon knew him. The king was alarmed, but made the butler promise that he would keep the secret from every mortal, even from his master; and he was faithful to his engagement.

No ship, it was found, would for a month set sail from Bristol, either for France or Spain, and the king was obliged to go elsewhere for a passage. He intrusted him-

self to Colonel Windham, of Dorsetshire, an affectionate partisan of the royal family. The natural effect of the long civil wars, and of the furious rage to which all men were wrought up in their different factions, was, that every one's inclinations and affections were thoroughly known; and even the courage and fidelity of most men, by the variety of incidents, had been put to trial. The royalists, too, had many of them been obliged to make concealments in their houses for themselves, their friends, or more valuable effects, and the arts of eluding the enemy had been frequently practised. All these circumstances proved favorable to the king in the present exigency. As he often passed through the hands of Catholics, the "priest's hole," as they called it, the place where they were obliged to conceal their persecuted priests, was sometimes employed for sheltering their distressed sovereign.

Windham, before he received the king, asked leave to intrust the important secret to his mother, his wife, and four servants, on whose fidelity he could rely. Of all these, no one proved wanting either in honor or discretion. The venerable old matron, on the reception of her royal guest, expressed the utmost joy that, having lost, without regret, three sons and one grandchild in defence of his father, she was now reserved, in her declining years, to be instrumental in the preservation of himself. Windham told the king that Sir Thomas, his father, in the year 1636, a few days before his death, called to him his five sons: "My children," said he, "we have hitherto seen serene and quiet times under our three last sovereigns, but I must now warn you to prepare for clouds and storms. Factions arise on every side and threaten the tranquillity of your native country. But, whatever happen, do you faithfully honor and obey your prince, and adhere to the crown. I charge you never to forsake the crown, though it should hang upon a bush." "These last words," added Windham, "made such impressions on all our breasts that the many afflictions of these sad times could never efface their indelible characters." From innumerable instances it appears how deep-rooted in the minds of the English gentry of that age was the principle of loyalty to their sovereign—that noble and generous principle, inferior only in excellence to the more enlarged and more enlightened affection towards a legal constitution. But during those times of military usurpation, these passions were the same.



The king continued several days in Windham's house, and all his friends in Britain, and in every part of Europe, remained in the most anxious suspense with regard to his fortunes. No one could conjecture whether he were dead or alive; and the report of his death being generally believed, happily relaxed the vigilant search of his enemies. Trials were made to procure a vessel for his escape, but he still met with disappointments. Having left Windham's house, he was obliged again to return to it. He passed through many other adventures, assumed different disguises, in every step was exposed to imminent perils, and received daily proofs of uncorrupted fidelity and attachment. The sagacity of a smith, who remarked that his horse's shoes had been made in the north, and not in the west, as he pretended, once detected him, and he narrowly escaped. At Shoreham, in Sussex, a vessel was at last found, in which he embarked. He had been known to so many, that if he had not set sail in that critical moment, it had been impossible for him to escape. After one-and-forty days' concealment, he arrived safely at Fescamp, in Normandy. No less than forty men and women had, at different times, been privy to his concealment and escape.<sup>22</sup>

The battle of Worcester afforded Cromwell what he called his "crowning mercy."<sup>23</sup> So elated was he that he intended to have knighted, in the field, two of his generals, Lambert and Fleetwood, but was dissuaded by his friends from exerting this act of regal authority. His power and ambition were too great to brook submission to the empty name of a republic, which stood chiefly by his influence and was supported by his victories. How early he entertained thoughts of taking into his hand the reins of government is uncertain. We are only assured that he now discovered to his intimate friends these aspiring views, and even expressed a desire of assuming the rank of king, which he had contributed, with such seeming zeal, to abolish.<sup>24</sup>

The little popularity and credit acquired by the republicans further stimulated the ambition of this enterprising politician. These men had not that large thought nor those comprehensive views which might qualify them for acting the part of legislators; selfish aims and bigotry chiefly engrossed their attention. They carried their rigid austerity so far as to enact a law declaring fornication, after the first

<sup>22</sup> Heathe's Chronicle, p. 301.

<sup>23</sup> Parliamentary History, vol. xx. p. 47.

<sup>24</sup> Whitlocke, p. 523.

act, to be felony, without benefit of clergy.<sup>25</sup> They made small progress in that important work which they professed to have so much at heart—the settling of a new model of representation, and fixing a plan of government. The nation began to apprehend that they intended to establish themselves as a perpetual legislature, and to confine the whole power to sixty or seventy persons, who called themselves the Parliament of the commonwealth of England. And while they pretended to bestow new liberties upon the nation, they found themselves obliged to infringe even the most valuable of those which, through time immemorial, had been transmitted from their ancestors. Not daring to intrust the trials of treason to juries, who, being chosen indifferently from among the people, would have been little favorable to the commonwealth, and would have formed their verdict upon the ancient laws, they eluded that noble institution by which the government of this island has ever been so much distinguished. They had evidently seen in the trial of Lilburn what they could expect from juries. This man, the most turbulent, but the most upright and courageous, of human kind was tried for a transgression of the new statute of treasons; but though he was plainly guilty, he was acquitted, to the great joy of the people. Westminster Hall—nay, the whole city—rang with shouts and acclamations. Never did any established power receive so strong a declaration of its usurpation and invalidity; and from no institution besides the admirable one of juries could be expected this magnanimous effort.

That they might not for the future be exposed to affronts which so much lessened their authority, the Parliament erected a high court of justice, which was to receive indictments from the council of state. This court was composed of men devoted to the ruling party, without name or character, determined to sacrifice everything to their own safety or ambition. Colonel Eusebius Andrews and Colonel Walter Slingsby were tried by this court for conspiracies, and condemned to death. They were royalists, and refused to plead before so illegal a jurisdiction. Love, Gibbons, and other Presbyterians, having entered into a plot against the republic, were also tried, condemned, and executed. The Earl of Derby, Sir Timothy Featherstone,

<sup>25</sup> Scobel, p. 121. A bill was introduced into the House against painting, patches, and other immodest dress of women, but it did not pass.—*Parliamentary History*, vol. xix, p. 263.

Bemboe, being taken prisoners after the battle of Worcester, were put to death by sentence of a court-martial—a method of proceeding declared illegal by that very Petition of Right for which a former Parliament had so strenuously contended, and which, after great efforts, they had extorted from the king.

Excepting their principles of toleration, the maxims by which the republicans regulated ecclesiastical affairs no more prognosticated any durable settlement than those by which they conducted their civil concerns. The Presbyterian model of congregation, classes, and assemblies was not allowed to be finished; it seemed even the intention of many leaders in the Parliament to admit of no established Church, and to leave every one, without any guidance of the magistrate, to embrace whatever sect and to support whatever clergy were most agreeable to him.

The Parliament went so far as to make some approaches, in one province, to their Independent model. Almost all the clergy of Wales being ejected as malignants, itinerant preachers with small salaries were settled, not above four or five in each county; and these being furnished with horses at the public expense, hurried from place to place, and carried, as they expressed themselves, the glad tidings of the Gospel.<sup>26</sup> They were all of them men of the lowest birth and education, who had deserted mechanical trades to follow this new profession; and in this particular, as well as in their wandering life, they pretended to be more truly apostolical.

The republicans, both by the turn of their disposition and by the nature of the instruments which they employed, were better qualified for acts of force and vigor than for the slow and deliberate work of legislation. Notwithstanding the late wars and bloodshed and the present factions, the power of England had never, in any period, appeared so formidable to the neighboring kingdoms as it did at this time, in the hands of the commonwealth. A numerous army served equally to retain every one in implicit subjection to established authority, and to strike a terror into foreign nations. The power of peace and war was lodged in the same hands with that of imposing taxes; and no difference of views among the several members of the legislature could any longer be apprehended. The present impositions, though much superior to what had ever formerly been ex-

<sup>26</sup> Dr. John Walker's Attempt, p. 147, et seq.

perienced, were in reality moderate, and what a nation so opulent could easily bear. The military genius of the people had, by the civil contests, been roused from its former lethargy, and excellent officers were formed in every branch of service. The confusion into which all things had been thrown had given opportunity to men of low stations to break through their obscurity, and to raise themselves by their courage to commands which they were well qualified to exercise, but to which their birth could never have entitled them; and while so great a power was lodged in such active hands, no wonder the republic was successful in all its enterprises.

Blake, a man of great courage and a generous disposition, the same person who had defended Lyme and Taunton with such unshaken obstinacy against the late king, was made an admiral; and though he had hitherto been accustomed only to land service, into which, too, he had not entered till past fifty years of age, he soon raised the naval glory of the nation to a greater height than it had ever attained in any former period. A fleet was put under his command, and he received orders to pursue Prince Rupert, to whom the king had intrusted that squadron which had deserted to him. Rupert took shelter in Kinsale; and escaping thence, fled towards the coast of Portugal. Blake pursued and chased him into the Tagus, where he intended to make an attack upon him. But the King of Portugal, moved by the favor which, throughout all Europe, attended the royal cause, refused Blake admittance, and aided Prince Rupert in making his escape. To be revenged of this partiality, the English admiral made prize of twenty Portuguese ships richly laden; and he threatened still further vengeance. The King of Portugal, dreading so dangerous a foe to his newly acquired dominion, and sensible of the unequal contest in which he was engaged, made all possible submissions to the haughty republic, and was at last admitted to negotiate the renewal of his alliance with England. Prince Rupert, having lost a great part of his squadron on the coast of Spain, made sail towards the West Indies. His brother, Prince Maurice, was there shipwrecked in a hurricane. Everywhere this squadron subsisted by privateering, sometimes on English, sometimes on Spanish vessels. And Rupert at last returned to France, where he disposed of the remnant of his fleet, together with his prizes.

All the settlements in America, except New England,



which had been planted entirely by the Puritans, adhered to the royal party, even after the settlement of the republic; and Sir George Ayscue was sent with a squadron to reduce them. Bermudas, Antigua, and Virginia were soon subdued. Barbadoes, commanded by Lord Willoughby of Parham, made some resistance, but was at last obliged to submit.

With equal ease were Jersey, Guernsey, Scilly, and the Isle of Man brought under subjection to the republic; and the sea, which had been much infested by privateers from these islands, was rendered safe to the English commerce. The Countess of Derby defended the Isle of Man, and with great reluctance yielded to the necessity of surrendering to the enemy. This lady, a daughter of the illustrious house of Trimouille, in France, had during the civil war displayed a manly courage by her obstinate defence of Latham House against the parliamentary forces; and she retained the glory of being the last person in the three kingdoms, and in all their dependent dominions, who submitted to the victorious commonwealth.<sup>27</sup>

Ireland and Scotland were now entirely subjected and reduced to tranquillity. Ireton, the new deputy of Ireland, at the head of a numerous army, thirty thousand strong, prosecuted the work of subduing the revolted Irish; and he defeated them in many rencounters, which, though of themselves of no great moment, proved fatal to their declining cause. He punished without mercy all the prisoners who had any hand in the massacres. Sir Phelim O'Neale, among the rest, was, some time after, brought to the gibbet, and suffered an ignominious death, which he had so well merited by his inhuman cruelties. Limerick, a considerable town, still remained in the hands of the Irish; and Ireton, after a vigorous siege, soon made himself master of it. He was here infected with the plague, and shortly after died—a memorable personage, much celebrated for his vigilance, industry, capacity, even for the strict execution of justice in that unlimited command which he possessed in Ireland. He was observed to be inflexible in all his purposes; and it was believed by many that he was animated with a sincere and passionate love of liberty, and never could have been induced by any motive to submit to the smallest appearance of regal government. Cromwell appeared to be much affected by his death; and the republicans, who reposed

<sup>27</sup> See note [II] at the end of the volume.

great confidence in him, were inconsolable. To show their regard for his merit and services, they bestowed an estate of two thousand pounds a year on his family, and honored him with a magnificent funeral at the public charge. Though the established government was but the mere shadow of a commonwealth, yet was it beginning, by proper arts, to encourage that public spirit which no other species of civil polity is ever able fully to inspire.

The command of the army in Ireland devolved on Lieutenant-General Ludlow. The civil government of the island was intrusted to commissioners. Ludlow continued to push the advantages against the Irish, and everywhere obtained an easy victory. That unhappy people, disgusted with the king on account of those violent declarations against them and their religion which had been extorted by the Scots, applied to the King of Spain, to the Duke of Lorraine, and found assistance nowhere. Clanricarde, unable to resist the prevailing power, made submissions to the Parliament, and retired into England, where he soon after died. He was a steady Catholic, but a man much respected by all parties.

The successes which attended Monk in Scotland were no less decisive. That able general laid siege to Stirling Castle; and though it was well provided for defence, it was soon surrendered to him. He there became master of all the records of the kingdom, and he sent them to England. The Earl of Leven, the Earl of Crawford, Lord Ogilvy, and other noblemen, having met near Perth in order to concert measures for raising a new army, were suddenly set upon by Colonel Alured, and most of them taken prisoners. Sir Philip Musgrave, with some Scots, being engaged at Dumfries in a like enterprise, met with a like fate. Dundee was a town well fortified, supplied with a good garrison under Lumisden, and full of all the rich furniture, the plate, and money of the kingdom, which had been sent thither as to a place of safety. Monk appeared before it; and having made a breach, gave a general assault. He carried the town; and, following the example and instructions of Cromwell, put all the inhabitants to the sword in order to strike a general terror into the kingdom. Warned by this example, Aberdeen, St. Andrew's, Inverness, and other towns and forts, yielded of their own accord to the enemy. Argyle made his submission to the English commonwealth; and excepting a few royalists who remained some time in the mountains under the Earl of Glencairn, Lord Balcarras, and

General Middleton, that kingdom, which had hitherto through all ages, by means of its situation, poverty, and valor, maintained its independence, was reduced to total subjection.

The English Parliament sent Sir Harry Vane, St. John, and other commissioners to settle Scotland. These men, who possessed little of the true spirit of liberty, knew how to maintain the appearance of it; and they required the voluntary consent of all the counties and towns of this conquered kingdom before they would unite them into the same commonwealth with England. The clergy protested, because they said this incorporating union would draw along with it a subordination of the Church to the State in the things of Christ.<sup>28</sup> English judges joined to some Scottish were appointed to determine all causes; justice was strictly administered; order and peace maintained; and the Scots, freed from the tyranny of the ecclesiastics, were not much dissatisfied with the present government.<sup>29</sup> The prudent conduct of Monk, a man who possessed a capacity for the arts both of peace and war, served much to reconcile the minds of men and to allay their prejudices.

[1652.] By the total reduction and pacification of the British dominions, the Parliament had leisure to look abroad, and to exert their vigor in foreign enterprises. The Dutch were the first that felt the weight of their arms.

During the life of Frederick Henry, Prince of Orange, the Dutch republic had maintained a neutrality in the civil wars of England, and had never interposed, except by her good offices, between the contending parties. When William, who had married an English princess, succeeded to his father's commands and authority,<sup>30</sup> the States, both before and after the execution of the late king, were accused of taking steps more favorable to the royal cause, and of betraying a great prejudice against that of the Parliament. It was long before the envoy of the English commonwealth could obtain an audience of the States-general. The murderers of Dorislaus were not pursued with such rigor as the Parliament expected. And much regard had been paid to the king, and many good offices performed to him, both by the public and by men of all ranks in the United Provinces.

After the death of William, Prince of Orange,<sup>31</sup> which

<sup>28</sup> Whitlocke, p. 496. Heathe's Chronicle, p. 307.

<sup>29</sup> See note [KK] at the end of the volume. <sup>30</sup> 1647. <sup>31</sup> On October 17, 1650.

was attended with the depression of his party and the triumph of the Dutch republicans, the Parliament thought that the time was now favorable for cementing a closer confederacy with the States. St. John, chief-justice, who was sent over to the Hague, had entertained the idea of forming a kind of coalition between the two republics, which would have rendered their interests totally inseparable; but fearing that so extraordinary a project would not be relished, he contented himself with dropping some hints of it, and openly went no further than to propose a strict defensive alliance between England and the United Provinces, such as has now for near seventy years taken place between these friendly powers.<sup>32</sup> But the States, who were unwilling to form a nearer confederacy with a government whose measures were so obnoxious and whose situation seemed so precarious, offered only to renew the former alliances with England; and the haughty St. John, disgusted with this disappointment, as well as incensed at many affronts which had been offered him with impunity by the retainers of the Palatine and Orange families, and indeed by the populace in general, returned into England, and endeavored to foment a quarrel between the republics.

The movements of great states are often directed by as slender springs as those of individuals. Though war with so considerable a naval power as the Dutch, who were in peace with all their other neighbors, might seem dangerous to the yet unsettled commonwealth, there were several motives which at this time induced the English Parliament to embrace hostile measures. Many of the members thought that a foreign war would serve as a pretence for continuing the same Parliament, and delaying the new model of a representative with which the nation had so long been flattered. Others hoped that the war would furnish a reason for maintaining some time longer that numerous standing army which was so much complained of.<sup>33</sup> On the other hand, some who dreaded the increasing power of Cromwell, expected that the great expense of naval armaments would prove a motive for diminishing the military establishment. To divert the attention of the public from domestic quarrels towards foreign transactions seemed, in the present disposition of men's minds, to be good policy. The superior power

<sup>32</sup> Thurloe, vol. i. p. 182.

<sup>33</sup> We are told in the *Life of Sir Harry Vane* that that famous republican opposed the Dutch war, and that it was the military gentlemen chiefly who supported that measure.



of the English commonwealth, together with its advantages of situation, promised success ; and the parliamentary leaders hoped to gain many rich prizes from the Dutch, to distress and sink their flourishing commerce, and by victories to throw a lustre on their own establishment which was so new and unpopular. All these views, enforced by the violent spirit of St. John, who had great influence over Cromwell, determined the Parliament to change the purposed alliance into a furious war against the United Provinces.

To cover these hostile intentions, the Parliament, under pretence of providing for the interests of commerce, embraced such measures as they knew would give disgust to the States. They framed the famous act of navigation which prohibited all nations from importing into England in their bottoms any commodity which was not the growth and manufacture of their own country. By this law, though the terms in which it was conceived were general, the Dutch were principally affected, because their country produces few commodities, and they subsist chiefly by being the general carriers and factors of Europe. Letters of reprisal were granted to several merchants, who complained of injuries which they pretended they had received from the States ; and about eighty Dutch ships fell into their hands, and were made prizes. The cruelties committed on the English at Amboyna, which were certainly enormous, but which seemed to be buried in oblivion by a thirty years' silence, were again made the ground of complaint ; and the allowing the murderers of Dorislaus to escape, and the conniving at the insults to which St. John had been exposed, were represented as symptoms of an unfriendly, if not a hostile disposition in the States.

The States, alarmed at all these steps, sent orders to their ambassadors to endeavor the renewal of the treaty of alliance, which had been broken off by the abrupt departure of St. John. Not to be unprepared, they equipped a fleet of a hundred and fifty sail, and took care by their ministers at London to inform the council of state of that armament. This intelligence, instead of striking terror into the English republic, was considered as a menace, and further confirmed the Parliament in their hostile resolutions. The minds of men in both states were every day more irritated against each other ; and it was not long before these humors broke forth into action.

Tromp, an admiral of great renown, received from the

States the command of a fleet of forty-two sail, in order to protect the Dutch navigation against the privateers of the English. He was forced by stress of weather, as he alleged, to take shelter in the road of Dover, where he met with Blake, who commanded an English fleet much inferior in number. Who was the aggressor in the action which ensued between these two admirals, both of them men of such prompt and fiery dispositions, it is not easy to determine, since each of them sent to his own state a relation totally opposite in all its circumstances to that of the other, and yet supported by the testimony of every captain in his fleet. Blake pretended that, having given a signal to the Dutch admiral to strike, Tromp, instead of complying, fired a broadside at him. Tromp asserted that he was preparing to strike, and that the English admiral, nevertheless, began hostilities. It is certain that the admiralty of Holland, who are distinct from the council of state, had given Tromp no orders to strike, but had left him to his own discretion with regard to that vain but much-contested ceremonial. They seemed willing to introduce the claim of an equality with the new commonwealth, and to interpret the former respect paid the English flag as a deference due only to the monarchy. This circumstance forms a strong presumption against the narrative of the Dutch admiral. The whole Orange party, it must be remarked, to which Tromp was suspected to adhere, were desirous of a war with England.

Blake, though his squadron consisted only of fifteen vessels, reinforced, after the battle began, by eight under Captain Bourne, maintained the fight with bravery for five hours, and sank one ship of the enemy and took another. Night parted the combatants, and the Dutch fleet retired towards the coast of Holland. The populace of London were enraged, and would have insulted the Dutch ambassadors, who lived at Chelsea, had not the council of state sent guards to protect them.

When the States heard of this action, of which the consequences were easily foreseen, they were in the utmost consternation. They immediately dispatched Pauw, Pensionary of Holland, as their ambassador extraordinary to London, and ordered him to lay before the Parliament the narrative which Tromp had sent of the late rencounter. They entreated them, by all the bands of their common religion and common liberties, not to precipitate themselves into hostile measures, but to appoint commissioners, who should

examine every circumstance of the action, and clear up the truth, which lay in obscurity; and they pretended that they had given no orders to their admiral to offer any violence to the English, but would severely punish him if they found, upon inquiry, that he had been guilty of an action which they so much disapproved. The imperious Parliament would hearken to none of these reasons or remonstrances. Elated by the numerous successes which they had obtained over their domestic enemies, they thought that everything must yield to their fortunate arms; and they gladly seized the opportunity which they sought of making war upon the States. They demanded that, without any further delay or inquiry, reparation should be made for all the damages which the English had sustained; and when this demand was not complied with, they despatched orders for commencing war against the United Provinces.

Blake sailed northwards with a numerous fleet, and fell upon the herring busses, which were escorted by twelve men-of-war. All these he either took or dispersed. Tromp followed him with a fleet of above a hundred sail. When these two admirals were within sight of each other, and preparing for battle, a furious storm attacked them. Blake took shelter in the English harbors. The Dutch fleet was dispersed and received great damage.

Sir George Ayscue, though he commanded only forty ships, according to the English accounts, engaged near Plymouth the famous De Ruiter, who had under him fifty ships of war with thirty merchantmen. The Dutch ships were indeed of inferior force to the English. De Ruiter, the only admiral in Europe who has attained a renown equal to that of the greatest general, defended himself so well that Ayscue gained no advantage over him. Night parted them in the greatest heat of the action. De Ruiter next day sailed off with his convoy. The English fleet had been so shattered in the fight that it was not able to pursue.

Near the coast of Kent, Blake, seconded by Bourne and Pen, met a Dutch squadron nearly equal in numbers, commanded by De Witte and De Ruiter. A battle was fought, much to the disadvantage of the Dutch. Their rear-admiral was boarded and taken. Two other vessels were sunk, and one blown up. The Dutch next day made sail towards Holland.

The English were not so successful in the Mediterranean.

Van Galen, with much superior force, attacked Captain Badily and defeated him. He bought, however, his victory with the loss of his life.

Sea-fights are seldom so decisive as to disable the vanquished from making head in a little time against the victors. Tromp, seconded by De Ruiter, met near the Goodwins, with Blake, whose fleet was inferior to the Dutch, but who resolved not to decline the combat. A furious battle commenced, where the admirals on both sides, as well as the inferior officers and seamen, exerted great bravery. In this action the Dutch had the advantage. Blake himself was wounded. The *Garland* and *Bonaventure* were taken. Two ships were burned and one sunk; and night came opportunely to save the English fleet. After this victory, Tromp, in a bravado, fixed a broom to his mainmast, as if he were resolved to sweep the sea entirely of all English vessels.

[1653.] Great preparations were made in England in order to wipe off this disgrace. A gallant fleet of eighty sail was fitted out. Blake commanded, and Dean under him, together with Monk, who had been sent for from Scotland. When the English lay off Portland, they descried, near break of day, a Dutch fleet of seventy-six vessels sailing up the Channel, along with a convoy of three hundred merchantmen, who had received orders to wait at the Isle of Rhé till the fleet should arrive to escort them. Tromp, and under him De Ruiter, commanded the Dutch. This battle was the most furious that had yet been fought between these warlike and rival nations. Three days was the combat continued with the utmost rage and obstinacy; and Blake, who was victor, gained not more honor than Tromp, who was vanquished. The Dutch admiral made a skilful retreat, and saved all the merchant-ships except thirty. He lost, however, eleven ships-of-war, had two thousand men slain, and near one thousand five hundred taken prisoners. The English, though many of their ships were extremely shattered, had but one sunk. Their slain were not much inferior in number to those of the enemy.

All these successes of the English were chiefly owing to the superior size of their vessels, an advantage which all the skill and bravery of the Dutch admirals could not compensate. By means of ship-money—an imposition which had been so much complained of, and in some respects, with reason—the late king had put the navy into a situation



which it had never attained in any former reign; and he ventured to build ships of a size which was then unusual. But the misfortunes which the Dutch met with in battle were small in comparison of those which their trade sustained from the English. Their whole commerce by the Channel was cut off; even that to the Baltic was much infested by English privateers. Their fisheries were totally suspended. A great number of their ships, above one thousand six hundred, had fallen into the hands of the enemy. And all this distress they suffered, not for any national interests or necessity, but from vain points of honor and personal resentments, of which it was difficult to give a satisfactory account to the public. They resolved, therefore, to gratify the pride of the Parliament, and to make some advances towards peace. They met not, however, with a favorable reception; and it was not without pleasure that they learned the dissolution of that haughty assembly by the violence of Cromwell, an event from which they expected a more prosperous turn to their affairs.

The zealous republicans in the Parliament had not been the chief or first promoters of the war; but when it was once entered upon, they endeavored to draw from it every possible advantage. On all occasions they set up the fleet in opposition to the army, and celebrated the glory and successes of their naval armaments. They insisted on the intolerable expense to which the nation was subjected, and urged the necessity of diminishing it by a reduction of the land forces. They had ordered some regiments to serve on board the fleet in the quality of marines. And Cromwell, by the whole train of their proceedings, evidently saw that they had entertained a jealousy of his power and ambition, and were resolved to bring him to a subordination under their authority. Without scruple or delay, he resolved to prevent them.

On such firm foundations was built the credit of this extraordinary man that, though a great master of fraud and dissimulation, he judged it superfluous to employ any disguise in conducting this bold enterprise. He summoned a general council of officers, and immediately found that they were disposed to receive whatever impressions he was pleased to give them. Most of them were his creatures, had owed their advancement to his favor, and relied entirely upon him for their future preferment. The breach being already made between the military and civil powers, when

the late king was seized at Holdenby, the general officers regarded the Parliament as at once their creature and their rival; and thought that they themselves were entitled to share among them those offices and riches of which its members had so long kept possession. Harrison, Rich, Overton, and a few others who retained some principle were guided by notions so extravagant that they were easily deluded into measures the most violent and most criminal; and the whole army had already been guilty of such illegal and atrocious actions that they could entertain no further scruple with regard to any enterprise which might serve their selfish or fanatical purposes.

In the council of officers it was presently voted to frame a remonstrance to the Parliament. After complaining of the arrears due to the army, they there desired the Parliament to reflect how many years they had sat, and what professions they had formerly made of their intentions to new-model the representative and establish successive parliaments, who might bear the burden of national affairs, from which they themselves would gladly, after so much danger and fatigue, be at last relieved. They confessed that the Parliament had achieved great enterprises and had surmounted mighty difficulties; yet was it an injury, they said, to the rest of the nation to be excluded from bearing any part in the service of their country. It was now full time for them to give place to others; and they therefore desired them, after settling a council who might execute the laws during the interval, to summon a new Parliament, and establish that free and equal government which they had so long promised to the people.

The Parliament took this remonstrance in ill part, and made a sharp reply to the council of officers. The officers insisted on their advice; and by mutual altercation and opposition the breach became still wider between the army and the commonwealth. Cromwell, finding matters ripe for his purpose, called a council of officers, in order to come to a determination with regard to the public settlement. As he had here many friends, so had he also some opponents. Harrison, having assured the council that the general sought only to pave the way for the government of Jesus and his saints, Major Streater briskly replied that Jesus ought then to come quickly; for if he delayed it till after Christmas, he would come too late; he would find his place occupied. While the officers were in debate, Colonel Ingoldsby in-

formed Cromwell that the Parliament was sitting, and had come to a resolution not to dissolve themselves, but to fill up the House by new elections, and was at that very time engaged in deliberations with regard to this expedient. Cromwell, in a rage, immediately hastened to the House, and carried a body of three hundred soldiers along with him. Some of them he placed at the door, some in the lobby, some on the stairs. He first addressed himself to his friend St. John, and told him that he had come with a purpose of doing what grieved him to the very soul, and what he had earnestly with tears besought the Lord not to impose upon him; but there was a necessity, in order to the glory of God and good of the nation. He sat down for some time, and heard the debate. He beckoned Harrison, and told him that he now judged the Parliament ripe for a dissolution. "Sir," said Harrison, "the work is very great and dangerous. I desire you seriously to consider before you engage in it." "You say well," replied the general; and thereupon sat still about a quarter of an hour. When the question was ready to be put, he said again to Harrison, "This is the time. I must do it." And suddenly starting up, he loaded the Parliament with the vilest reproaches for their tyranny, ambition, oppression, and robbery of the public. Then stamping with his foot, which was a signal for the soldiers to enter, "For shame!" said he to the Parliament, "get you gone; give place to honester men, to those who will more faithfully discharge their trust. You are no longer a Parliament. I tell you, you are no longer a Parliament. The Lord has done with you. He has chosen other instruments for carrying on his work." Sir Harry Vane exclaiming against this proceeding, he cried with a loud voice, "O Sir Harry Vane! Sir Harry Vane! The Lord deliver me from Sir Harry Vane!" Taking hold of Martin by the cloak, "Thou art a whoremaster," said he. To another, "Thou art an adulterer." To a third, "Thou art a drunkard and a glutton." "And thou an extortioner," to a fourth. He commanded a soldier to seize the mace. "What shall we do with this bauble? Here, take it away. It is you," said he, addressing himself to the House, "that have forced me upon this. I have sought the Lord night and day that he would rather slay me than put me upon this work." Having commanded the soldiers to clear the hall, he himself went out the last, and, ordering the doors to be locked, departed to his lodgings in Whitehall.

In this furious manner, which so well denotes his genuine character, did Cromwell, without the least opposition, or even murmur, annihilate that famous assembly which had filled all Europe with the renown of its actions and with astonishment at its crimes, and whose commencement was not more ardently desired by the people than was its final dissolution. All parties now reaped successively the melancholy pleasure of seeing the injuries which they had suffered revenged on their enemies, and that, too, by the same arts which had been practised against them. The king had, in some instances, stretched his prerogative beyond its just bounds; and, aided by the Church, had well-nigh put an end to all the liberties and privileges of the nation. The Presbyterians checked the progress of the court and clergy, and excited by cant and hypocrisy the populace, first to tumults, then to war, against the king, the peers, and all the royalists. No sooner had they reached the pinnacle of grandeur than the Independents, under the appearance of still greater sanctity, instigated the army against them, and reduced them to subjection. The Independents, amid their empty dreams of liberty, or rather of dominion, were oppressed by the rebellion of their own servants, and found themselves at once exposed to the insults of power and hatred of the people. By recent as well as all ancient example, it was become evident that illegal violence, with whatever pretences it may be covered, and whatever object it may pursue, must inevitably end at last in the arbitrary and despotic government of a single person.



## CHAPTER LXI

CROMWELL'S BIRTH AND PRIVATE LIFE.—BAREBONE'S PARLIAMENT.—CROMWELL MADE PROTECTOR.—PEACE WITH HOLLAND.—A NEW PARLIAMENT.—INSURRECTION OF THE ROYALISTS.—STATE OF EUROPE.—WAR WITH SPAIN.—JAMAICA CONQUERED.—SUCCESS AND DEATH OF ADMIRAL BLAKE.—DOMESTIC ADMINISTRATION OF CROMWELL.—HUMBLE PETITION AND ADVICE.—DUNKIRK TAKEN.—SICKNESS OF THE PROTECTOR.—HIS DEATH AND CHARACTER.

[1653.] OLIVER CROMWELL, in whose hands the dissolution of the Parliament had left the whole power, civil and military, of three kingdoms, was born at Huntingdon, the last year of the former century, of a goodly family; though he himself, being the son of a second brother, inherited but a small estate from his father. In the course of his education he had been sent to the university, but his genius was found little fitted for the calm and elegant occupations of learning, and he made small proficiencies in his studies. He even threw himself into a dissolute and disorderly course of life; and he consumed in gaming, drinking, debauchery, and country riots the more early years of his youth, and dissipated part of his patrimony. All of a sudden the spirit of reformation seized him; he married, affected a grave and composed behavior, entered into all the zeal and rigor of the puritanical party, and offered to restore to every one whatever sums he had formerly gained by gaming. The same vehemence of temper which had transported him into the extremes of pleasure now distinguished his religious habits. His house was the resort of all the zealous clergy of the party; and his hospitality, as well as his liberalities to the silenced and deprived ministers, proved as chargeable as his former debaucheries. Though he had acquired a tolerable fortune by a maternal uncle, he found his affairs so injured by his expenses that he was obliged to take a farm at St. Ives and apply himself for some years to agriculture as a profession. But this expedient served

rather to involve him in further debts and difficulties. The long prayers which he said to his family in the morning and again in the afternoon consumed his own time and that of his ploughmen, and he reserved no leisure for the care of his temporal affairs. His active mind, superior to the low occupations to which he was condemned, preyed upon itself; and he indulged his imagination in visions, illuminations, revelations—the great nourishment of that hypochondrical temper to which he was ever subject. Urged by his wants and his piety, he made a party with Hambden, his near kinsman, who was pressed only by the latter motive, to transport himself into New England, now become the retreat of the more zealous among the puritanical party; and it was an order of council which obliged them to disembark and remain in England. The Earl of Bedford, who possessed a large estate in the Fen country, near the Isle of Ely, having undertaken to drain these morasses, was obliged to apply to the king; and by the powers of the prerogative, he got commissioners appointed who conducted that work and divided the new-acquired land among the several proprietors. He met with opposition from many, among whom Cromwell distinguished himself; and this was the first public opportunity which he had met with of discovering the factious zeal and obstinacy of his character.

From accident and intrigue he was chosen by the town of Cambridge member of the Long Parliament. His domestic affairs were then in great disorder; and he seemed not to possess any talents which could qualify him to rise in that public sphere into which he was now at last entered. His person was ungraceful, his dress slovenly, his voice untunable, his elocution homely, tedious, obscure, and embarrassed. The fervor of his spirit frequently prompted him to rise in the House, but he was not heard with attention. His name, for above two years, is not to be found oftener than twice in any committee; and those committees into which he was admitted were chosen for affairs which would more interest the zealots than the men of business. In comparison of the eloquent speakers and fine gentlemen of the House, he was entirely overlooked; and his friend Hambden alone was acquainted with the depth of his genius, and foretold that if a civil war should ensue, he would soon rise to eminence and distinction.

Cromwell himself seems to have been conscious where his strength lay; and, partly from that motive, partly from

the uncontrollable fury of his zeal, he always joined that party which pushed everything to extremities against the king. He was active in promoting the famous remonstrance which was the signal for all the ensuing commotions; and when, after a long debate, it was carried by a small majority, he told Lord Falkland that if the question had been lost, he was resolved next day to have converted into ready money the remains of his fortune, and immediately to have left the kingdom. Nor was this resolution, he said, peculiar to himself; many others of his party he knew to be equally determined.

He was no less than forty-three years of age when he first embraced the military profession; and by force of genius, without any master, he soon became an excellent officer, though perhaps he never reached the fame of a consummate commander. He raised a troop of horse, fixed his quarters in Cambridge, exerted great severity towards that university, which zealously adhered to the royal party, and showed himself a man who would go all lengths in favor of that cause which he had espoused. He would not allow his soldiers to perplex their heads with those subtleties of fighting by the king's authority against his person, and of obeying his majesty's commands signified by both Houses of Parliament: he plainly told them that if he met the king in battle, he would fire a pistol in his face as readily as against any other man. His troop of horse he soon augmented to a regiment; and he first instituted that discipline and inspired that spirit which rendered the parliamentary armies in the end victorious. "Your troops," said he to Hambden, according to his own account,<sup>1</sup> "are most of them old decayed serving-men and tapsters, and such kind of fellows; the king's forces are composed of gentlemen's younger sons and persons of good quality. And do you think that the mean spirits of such base and low fellows as ours will ever be able to encounter gentlemen that have the honor and courage and resolution in them? You must get men of spirit, and take it not ill that I say, of a spirit that is likely to go as far as gentlemen will go, or else I am sure you will still be beaten, as you have hitherto been, in every encounter." He did as he proposed. He enlisted the sons of freeholders and farmers. He carefully invited into his regiment all the zealous fanatics throughout England. When they were collected in a body, their enthusiastic spirit still rose

<sup>1</sup> Conference held at Whitehall.

to a higher pitch. Their colonel, from his own natural character as well as from policy, was sufficiently inclined to increase the flame. He preached, he prayed, he fought, he punished, he rewarded. The wild enthusiasm, together with valor and discipline, still propagated itself; and all men cast their eyes on so pious and so successful a leader. From low commands he rose with great rapidity to be really the first, though in appearance only the second, in the army. By fraud and violence he soon rendered himself the first in the state. In proportion to the increase of his authority, his talents always seemed to expand themselves; and he displayed every day new abilities which had lain dormant till the very emergency by which they were called forth into action. All Europe stood astonished to see a nation so turbulent and unruly, who, for some doubtful encroachments on the privileges, had dethroned and murdered an excellent prince, descended from a long line of monarchs, now at last subdued and reduced to slavery, by one who, a few years before, was no better than a private gentleman, whose name was not known in the nation, and who was little regarded even in that low sphere to which he had always been confined.

The indignation entertained by the people against an authority founded on such manifest usurpation was not so violent as might naturally be expected. Congratulatory addresses, the first of the kind, were made to Cromwell by the fleet, by the army, even by many of the chief corporations and counties of England, but especially by the several congregations of saints dispersed throughout the kingdom.<sup>2</sup> The royalists, though they could not love the man who had imbrued his hands in the blood of their sovereign, expected more lenity from him than from the jealous and imperious republicans who had hitherto governed. The Presbyterians were pleased to see those men by whom they had been outwitted and expelled now, in their turn, expelled and outwitted by their own servant; and they applauded him for this last act of violence upon the Parliament. These two parties composed the bulk of the nation, and kept the people in some tolerable temper. All men, likewise, harassed with wars and factions, were glad to see any prospect of settlement; and they deemed it less ignominious to submit to a person of such admirable talents and capacity than to

<sup>2</sup> See Milton's State Papers.



a few ignoble, enthusiastic hypocrites who, under the name of a republic, had reduced them to a cruel subjection.

The republicans, being dethroned by Cromwell, were the party whose resentment he had the greatest reason to apprehend. That party, besides the Independents, contained two sets of men who are seemingly of the most opposite principles, but who were then united by a similitude of genius and of character. The first and most numerous were the Millenarians, or Fifth-monarchy men, who insisted that, dominion being founded in grace, all distinction in magistracy must be abolished, except what arose from piety and holiness; who expected suddenly the second coming of Christ upon earth; and who pretended that the saints in the meanwhile—that is, themselves—were alone entitled to govern. The second were the Deists, who had no other object than political liberty, who denied entirely the truth of revelation, and insinuated that all the various sects, so heated against each other, were alike founded in folly and in error. Men of such daring geniuses were not contented with the ancient and legal forms of civil government, but challenged a degree of freedom beyond what they expected ever to enjoy under any monarchy. Martin, Challoner, Harrington, Sidney, Wildman, Nevil, were esteemed the heads of this small division.

The Deists were perfectly hated by Cromwell, because he had no hold of enthusiasm by which he could govern or overreach them; he therefore treated them with great rigor and disdain, and usually denominated them the *heathens*. As the Millenarians had a great interest in the army, it was much more important for him to gain their confidence; and their size of understanding afforded him great facility in deceiving them. Of late years it had been so usual a topic of conversation to discourse of parliaments and councils and senates, and the soldiers themselves had been so much accustomed to enter into that spirit, that Cromwell thought it requisite to establish something which might bear the face of a commonwealth. He supposed that God, in his providence, had thrown the whole right as well as power of government into his hands; and without any more ceremony, by the advice of his council of officers, he sent summons to a hundred and twenty-eight persons of different towns and counties of England, to five of Scotland, to six of Ireland. He pretended by his sole act and deed to devolve upon these the whole authority of the state. This legislative

power they were to exercise during fifteen months, and they were afterwards to choose the same number of persons who might succeed them in that high and important office.

There were great numbers at that time who made it a principle always to adhere to any power which was uppermost and to support the established government. This maxim is not peculiar to the people of that age; but what may be esteemed peculiar to them is that there prevailed a hypocritical phrase for expressing so prudential a conduct—it was called a waiting upon Providence. When Providence, therefore, was so kind as to bestow on these men, now assembled together, the supreme authority, they must have been very ungrateful if, in their turn, they had been wanting in complaisance towards her. They immediately voted themselves a Parliament; and, having their own consent as well as that of Oliver Cromwell for their legislative authority, they now proceeded very gravely to the exercise of it.

In this notable assembly were some persons of the rank of gentlemen; but the far greater part were low mechanics, Fifth-monarchy men, Anabaptists, Antinomians, Independents—the very dregs of the fanatics. They began with seeking God by prayer. This office was performed by eight or ten *gifted* men of the assembly; and with so much success that, according to the confession of all, they had never before, in any of their devotional exercises, enjoyed so much of the Holy Spirit as was then communicated to them.<sup>3</sup> Their hearts were no doubt dilated when they considered the high dignity to which they supposed themselves exalted. They had been told by Cromwell, in his first discourse, that he never looked to see such a day when Christ should be so owned.<sup>4</sup> They thought it, therefore, their duty

<sup>3</sup> Parliamentary History, vol. xx. p. 182.

<sup>4</sup> These are his expressions: “Indeed, I have but one word more to say to you, though in that perhaps I shall show my weakness: it is by way of encouragement to you in this work. Give me leave to begin thus: I confess I never looked to have seen such a day as this—it may be nor you neither—when Jesus Christ should be so owned as he is at this day and in this work. Jesus Christ is owned this day by your call, and you own him by your willingness to appear for him, and you manifest this (as far as poor creatures can do) to be a day of the power of Christ. I know you will remember that Scripture, ‘He makes his people willing in the day of his power.’ God manifests it to be the day of the power of Christ, having through so much blood and so much trial as has been upon this nation, he makes this one of the greatest mercies, next to his own Son, to have his people called to the supreme authority. God hath owned his Son, and hath owned you, and hath made you to own him. I confess I never looked to have seen such a day; I did not.” I suppose at this passage he cried, for he was very much given to weeping, and could at any time shed abundance of tears. The rest of the speech may be seen among Milton’s State Papers, p. 106. It is very curious, and full of the same obscurity, confusion, embarrassment, and absurdity which appear in almost all Oliver’s productions.

to proceed to a thorough reformation, and to pave the way for the reign of the Redeemer, and for that great work which it was expected the Lord was to bring forth among them. All fanatics, being consecrated by their own fond imaginations, naturally bear an antipathy to the ecclesiastics, who claim a peculiar sanctity derived merely from their office and priestly character. This Parliament took into consideration the abolition of the clerical function, as savoring of popery, and the taking away of tithes, which they called a relic of Judaism. Learning, also, and the universities were deemed heathenish and unnecessary; the common law was denominated a badge of the Conquest and of Norman slavery; and they threatened the lawyers with a total abrogation of their profession. Some steps were even taken towards an abolition of the chancery,<sup>5</sup> the highest court of judicature in the kingdom; and the Mosaical law was intended to be established as the sole system of English jurisprudence.<sup>6</sup>

Of all the extraordinary schemes adopted by these legislators, they had not leisure to finish any, except that which established the legal solemnization of marriage by the civil magistrate alone, without the interposition of the clergy. They found themselves exposed to the derision of the public. Among the fanatics of the House there was an active member, much noted for his long prayers, sermons, and harangues. He was a leather-seller in London; his name, *Praise-God Barebone*. This ridiculous name, which seems to have been chosen by some poet or allegorist to suit so ridiculous a personage, struck the fancy of the people; and they commonly affixed to this assembly the appellation of Barebone's Parliament.<sup>7</sup>

<sup>5</sup> Whitlocke, pp. 543, 548.

<sup>6</sup> Conference held at Whitehall.

<sup>7</sup> It was usual for the pretended saints at that time to change their names from Henry, Edward, Anthony, William, which they regarded as heathenish, into others more sanctified and godly; even the New Testament names James, Andrew, John, Peter, were not held in such regard as those which were borrowed from the Old Testament—Hezekiah, Habakkuk, Joshua, Zerubbabel. Sometimes a whole godly sentence was adopted as a name. Here are the names of a jury said to be enclosed in the county of Sussex about that time:

Accepted, Trever of Norsham.	Return, Spelman of Watling.
Redeemed, Compton of Battle.	Be Faithful, Joiner of Britling.
Faint Not, Hewit of Heathfield.	Fly Debate, Roberts of the same.
Make Peace, Heator of Hare.	Fight the Good Fight of Faith, White
God Reward, Smart of Fivehurst.	of Emer.
Standfast on High, Stringer of Cow-	More Fruit, Fowler of East Halley.
hurst.	Hope For, Bending of the same.
Earth, Adams of Warbleton.	Graceful, Harding of Lewes.
Called, Lower of the same.	Weep Not, Billing of the same.
Kill Sin, Pimple of Witham.	Meek, Brewer of Okeham.

The Dutch ambassadors endeavored to enter into negotiation with the Parliament; but, though Protestants, and even Presbyterians, they met with a bad reception from those who pretended to a sanctity so much superior. The Hollanders were regarded as worldly-minded men, intent only on commerce and industry, whom it was fitting the saints should first extirpate ere they undertook that great work, to which they believed themselves destined by Providence, of subduing Antichrist, the man of sin, and extending to the uttermost bounds of the earth the kingdom of the Redeemer.<sup>8</sup> The ambassadors, finding themselves proscribed, not as enemies of England, but of Christ, remained in astonishment, and knew not which was most to be admired, the implacable spirit or egregious folly of these pretended saints.

Cromwell began to be ashamed of his legislature. If he ever had any design in summoning so preposterous an assembly beyond amusing the populace and the army, he had intended to alarm the clergy and lawyers; and he had so far succeeded as to make them desire any other government which might secure their professions, now brought into danger by these desperate fanatics. Cromwell himself was dissatisfied that the Parliament, though they had derived all their authority from him, began to pretend power from the Lord,<sup>9</sup> and to insist already on their divine commission. He had been careful to summon in his writs several persons entirely devoted to him. By concert, these met early; and it was mentioned by some among them that the sitting of this Parliament any longer would be of no service to the nation. They hastened, therefore, to Cromwell, along with Rouse, their speaker; and by a formal deed, or assignment, restored into his hands that supreme authority which they had so lately received from him. General Harrison and about twenty more remained in the House; and that they might prevent the reign of the saints from coming to an untimely end, they placed one Moyer in the chair, and began to draw up protests. They were soon interrupted by Colonel White with a party of soldiers. He asked them

beat up his drums clean through the Old Testament. You may learn the genealogy of our Saviour by the names of his regiment. The muster-master has no other list than the first chapter of St. Matthew." The brother of this Praise-God Barebone had for name, *If Christ had not died for you, you had been damned, Barebone*. But the people, tired of this long name, retained only the last word, and commonly gave him the appellation of *Damned Barebone*.

<sup>8</sup> Thurloe, vol. i. pp. 273, 591. Also Stubbe, pp. 91, 92.

<sup>9</sup> Thurloe, vol. i. p. 393.



what they did there? "We are seeking the Lord," said they. "Then you may go elsewhere," replied he; "for to my certain knowledge he has not been here these many years."

The military, being now in appearance as well as in reality the sole power which prevailed in the nation, Cromwell thought fit to indulge in a new fancy; for he seems not to have had any deliberate plan in all these alterations. Lambert, his creature, who, under the appearance of obsequiousness to him, indulged in unbounded ambition, proposed in a council of officers to adopt another scheme of government, and to temper the liberty of a commonwealth by the authority of a single person, who should be known by the appellation of protector. Without delay he prepared what was called *the instrument of government*, containing the plan of this new legislature; and as it was supposed to be agreeable to the general, it was immediately voted by the council of officers. Cromwell was declared protector, and with great solemnity installed in that high office.

So little were these men endowed with the spirit of legislation that they confessed, or rather boasted, that they had employed only four days in drawing this instrument, by which the whole government of three kingdoms was pretended to be regulated and adjusted to all succeeding generations. There appears no difficulty in believing them, when it is considered how crude and undigested a system of civil polity they endeavored to establish. The chief articles of the instrument are these: a council was appointed, which was not to exceed twenty-one, nor be less than thirteen, persons. These were to enjoy their office during life or good behavior; and in case of a vacancy, the remaining members named three, of whom the protector chose one. The protector was appointed supreme magistrate of the commonwealth; in his name was all justice to be administered; from him were all magistracy and honors derived; he had the power of pardoning all crimes, excepting murder and treason; to him the benefit of all forfeitures devolved. The right of peace, war, and alliance rested in him; but in these particulars he was to act by the advice and with the consent of his council. The power of the sword was vested in the protector jointly with the Parliament while it was sitting, or with the council of state in the intervals. He was obliged to summon a Parliament every three years, and allow them to sit five months without adjournment, proroga-

tion, or dissolution. The bills which they passed were to be presented to the protector for his assent; but if within twenty days it were not obtained, they were to become laws by the authority alone of Parliament. A standing army for Great Britain and Ireland was established, of twenty thousand foot and ten thousand horse; and funds were assigned for their support. These were not to be diminished without the consent of the protector, and in this article alone he assumed a negative. During the intervals of Parliament, the protector and council had the power of enacting laws, which were to be valid till the next meeting of Parliament. The chancellor, treasurer, admiral, chief governors of Ireland and Scotland, and the chief-justices of both the benches, must be chosen with the approbation of Parliament; and, in the intervals, with the approbation of the council, to be afterwards ratified by Parliament. The protector was to enjoy his office during life, and on his death the place was immediately to be supplied by the council. This was the instrument of government enacted by the council of officers, and solemnly sworn to by Oliver Cromwell. The council of state, named by the instrument, were fifteen men entirely devoted to the protector, and, by reason of the opposition among themselves in party and principles, not likely ever to combine against him.

Cromwell said that he accepted the dignity of protector merely that he might exert the duty of a constable, and preserve peace in the nation. Affairs, indeed, were brought to that pass by the furious animosities of the several factions that the extensive authority, and even arbitrary power, of some first magistrate was become a necessary evil, in order to keep the people from relapsing into blood and confusion. The Independents were too small a party ever to establish a popular government, or intrust the nation, where they had so little interest, with the free choice of its representatives. The Presbyterians had adopted the violent maxims of persecution, incompatible at all times with the peace of society, much more with the wild zeal of those numerous sects which prevailed among the people. The royalists were so much enraged by the injuries which they had suffered that the other prevailing parties would never submit to them, who, they knew, were enabled, merely by the execution of the ancient laws, to take severe vengeance upon them. Had Cromwell been guilty of no crime but this temporary usurpation, the plea of necessity and public good, which, he

alleged, might be allowed in every view a reasonable excuse for his conduct.

During the variety of ridiculous and distracted scenes which the civil government exhibited in England, the military force was exerted with vigor, conduct, and unanimity; and never did the kingdom appear more formidable to all foreign nations. The English fleet, consisting of a hundred sail, and commanded by Monk and Dean, and under them by Pen and Lawson, met near the coast of Flanders with the Dutch fleet, equally numerous, and commanded by Tromp. The two republics were not inflamed by any national antipathy, and their interests very little interfered; yet few battles have been disputed with more fierce and obstinate courage than were those many naval combats which were fought during this short but violent war. The desire of remaining sole lords of the ocean animated these states to an honorable emulation against each other. After a battle of two days, in the first of which Dean was killed, the Dutch, inferior in the size of their ships, were obliged, with great loss, to retire into their harbors. Blake, towards the end of the fight, joined his countrymen with eighteen sail. The English fleet lay off the coast of Holland, and totally interrupted the commerce of that republic.

The ambassadors whom the Dutch had sent over to England gave them hopes of peace. But as they could obtain no cessation of hostilities, the States, unwilling to suffer any longer the loss and dishonor of being blockaded by the enemy, made the utmost efforts to recover their injured honor. Never on any occasion did the power and vigor of that republic appear in a more conspicuous light. In a few weeks they had repaired and manned their fleet, and they equipped some ships of a larger size than any which they had hitherto sent to sea. Tromp issued out, determined again to fight the victors, and to die rather than to yield the contest. He met with the enemy, commanded by Monk, and both sides immediately rushed into the combat. Tromp, gallantly animating his men with his sword drawn, was shot through the heart with a musket-ball. This event alone decided the battle in favor of the English. Though near thirty ships of the Dutch were sunk and taken, they little regarded this loss compared with that of their brave admiral.

Meanwhile the negotiations for peace were continually advancing. The States, overwhelmed with the expense of the war, terrified by their losses, and mortified by their de-

feats, was extremely desirous of an accommodation with an enemy whom they found by experience too powerful for them. The king having shown an inclination to serve on board their fleet, though they expressed their sense of the honor intended them, they declined an offer which might inflame the quarrel with the English commonwealth. The great obstacle to the peace was found not to be any animosity on the part of the English, but, on the contrary, a desire too earnest of union and confederacy. Cromwell had revived the chimerical scheme of a coalition with the United Provinces—a total conjunction of government, privileges, interests, and counsels. [1654.] This project appeared so wild to the States that they wondered any man of sense could ever entertain it, and they refused to enter into conferences with regard to a proposal which could serve only to delay any practicable scheme of accommodation. The peace was at last signed by Cromwell, now invested with the dignity of protector; and it proves sufficiently that the war had been impolitic, since, after the most signal victories, no terms more advantageous could be obtained. A defensive league was made between the two republics. They agreed each of them to banish the enemies of the other; those who had been concerned in the massacre of Amboyna were to be punished, if any remained alive; the honor of the flag was yielded to the English; eighty-five thousand pounds were stipulated to be paid by the Dutch East India Company for losses which the English Company had sustained; and the island of Polerone, in the East Indies, was promised to be ceded to the latter.

Cromwell, jealous of the connections between the royal family and that of Orange, insisted on a separate article that neither the young prince nor any of his family should ever be invested with the dignity of stadtholder. The province of Holland, strongly prejudiced against that office, which they esteemed dangerous to liberty, secretly ratified this article. The protector, knowing that the other provinces would not be induced to make such a concession, was satisfied with this security.

The Dutch war being successful, and the peace reasonable, brought credit to Cromwell's administration. An act of justice, which he exercised at home, gave likewise satisfaction to the people, though the regularity of it may perhaps appear somewhat doubtful. Don Pantaleon Sa, brother to the Portuguese ambassador, and joined with him in the



same commission,<sup>10</sup> fancying himself to be insulted, came upon the Exchange, armed and attended by several servants. By mistake, he fell on a gentleman whom he took for the person that had given him the offence; and having butchered him with many wounds, he and all his attendants took shelter in the house of the Portuguese ambassador, who had connived at this base enterprise.<sup>11</sup> The populace surrounded the house, and threatened to set fire to it. Cromwell sent a guard, who seized all the criminals. They were brought to trial; and, notwithstanding the opposition of the ambassador, who pleaded the privileges of his office, Don Pantaleon was executed on Tower Hill. The laws of nations were here plainly violated; but the crime committed by the Portuguese gentleman was, to the last degree, atrocious; and the vigorous chastisement of it, suiting so well to the undaunted character of Cromwell, was universally approved of at home and admired among foreign nations. The situation of Portugal obliged that court to acquiesce; and the ambassador soon after signed with the protector a treaty of peace and alliance, which was very advantageous to the English commerce.

Another act of severity, but necessary in his situation, was at the very same time exercised by the protector in the capital punishment of Gerard and Vowel, two royalists, who were accused of conspiring against his life. He had erected a high court of justice for their trial—an infringement of the ancient laws which at this time was become familiar, but one to which no custom or precedent could reconcile the nation. Juries were found altogether unmanageable. The restless Lilburn, for new offences, had been brought to a new trial, and had been acquitted with new triumph and exultation. If no other method of conviction had been devised during this illegal and unpopular government, all its enemies were assured of entire impunity.

The protector had occasion to observe the prejudices entertained against his government by the disposition of the Parliament, which he summoned on the 3d of September, that day of the year on which he gained his two great victories of Dunbar and Worcester, and which he always regarded as fortunate for him. It must be confessed that, if we are left to gather Cromwell's intentions from his instrument of government, it is such a motley piece that we cannot easily conjecture whether he seriously meant to

<sup>10</sup> Thurloe, vol. ii. p. 429.

<sup>11</sup> Thurloe, vol. i. p. 616.

establish a tyranny or a republic. On one hand, a first magistrate, in so extensive a government, seemed necessary both for the dignity and tranquillity of the state; and the authority which he assumed as protector was in some respects inferior to the prerogatives which the laws intrusted, and still intrust, to the king. On the other hand, the legislative power which he reserved to himself and council, together with so great an army, independent of the Parliament, were bad prognostics of his intention to submit to a civil and legal constitution. But if this were not his intention, the method in which he distributed and conducted the elections, being so favorable to liberty, forms an inconsistency which is not easily accounted for. He deprived of their right of election all the small boroughs—places the most exposed to influence and corruption. Of four hundred members which represented England, two hundred and seventy were chosen by the counties; the rest were elected by London and the more considerable corporations. The lower populace too, so easily guided or deceived, were excluded from the elections: an estate of two hundred pounds' value was necessary to entitle any one to a vote. The elections of this Parliament were conducted with perfect freedom; and, excepting that such of the royalists as had borne arms against the Parliament and all their sons were excluded, a more fair representation of the people could not be desired or expected. Thirty members were returned from Scotland; as many from Ireland.

The protector seems to have been disappointed when he found that all these precautions, which were probably nothing but covers to his ambition, had not procured him the confidence of the public. Though Cromwell's administration was less odious to every party than that of any other party, yet was it entirely acceptable to none. The royalists had been instructed by the king to remain quiet, and to cover themselves under the appearance of republicans; and they found in this latter faction such inveterate hatred against the protector that they could not wish for more zealous adversaries to his authority. It was maintained by them that the pretence of liberty and a popular election was but a new artifice of this great deceiver, in order to lay asleep the deluded nation, and give himself leisure to rivet their chains more securely upon them; that in the instrument of government he openly declared his intention of still retaining the same mercenary army by whose assistance he

had subdued the ancient established government, and who would with less scruple obey him in overturning, whenever he should please to order them, that new system which he himself had been pleased to model; that, being sensible of the danger and uncertainty of all military government, he endeavored to intermix some appearance, and but an appearance, of civil administration, and to balance the army by a seeming consent of the people; that the absurd trial which he had made of a Parliament elected by himself, appointed perpetually to elect their successors, plainly proved that he aimed at nothing but temporary expedients, was totally averse to a free republican government, and possessed not that nature and deliberate reflection which could qualify him to act the part of a legislator; that his imperious character, which had betrayed itself in so many incidents, could never seriously submit to legal limitations, nor would the very image of popular government be longer upheld than while conformable to his arbitrary will and pleasure; and that the best policy was to oblige him to take off the mask at once, and either submit entirely to that Parliament which he had summoned, or, by totally rejecting its authority, leave himself no resource but in his seditious and enthusiastic army.

In prosecution of these views, the Parliament, having heard the protector's speech, three hours long,<sup>12</sup> and having chosen Lenthall for their speaker, immediately entered into a discussion of the pretended instrument of government, and of that authority which Cromwell, by the title of protector, had assumed over the nation. The greatest liberty was used in arraigning this new dignity; and even the personal character and conduct of Cromwell escaped not without censure. The utmost that could be obtained by the officers and by the court party, for so they were called, was to protract the debate by arguments and long speeches, and prevent the decision of a question which, they were sensible, would be carried against them by a great majority. The protector, surprised and enraged at this refractory spirit in the Parliament, which, however, he had so much reason to expect, sent for them to the painted chamber, and with an air of great authority inveighed against their conduct. He told them that nothing could be more absurd than for them to dispute his title; since the same instrument of government which made them a Parliament had invested him

<sup>12</sup> Thurloe, vol. ii. p. 588.

with the protectorship; that some points in the new constitution were supposed to be fundamentals, and were not, on any pretence, to be altered or disputed; that among these were the government of the nation by a single person and a Parliament, their joint authority over the army and militia, the succession of new parliaments, and liberty of conscience; and that, with regard to these particulars, there was reserved to him a negative voice, to which, in the other circumstances of government, he confessed himself nowise entitled.

The protector now found the necessity of exacting a security which, had he foreseen the spirit of the House, he would with better grace have required at their first meeting.<sup>13</sup> He obliged the members to sign a recognition of his authority, and an engagement not to propose or consent to any alteration in the government, as it was settled in a single person and a Parliament; and he placed guards at the door of the House, who allowed none but subscribers to enter. Most of the members, after some hesitation, submitted to this condition, but retained the same refractory spirit which they had discovered in their first debates. The instrument of government was taken in pieces, and examined, article by article, with the most scrupulous accuracy; very free topics were advanced with the general approbation of the House; and, during the whole course of their proceedings, they neither sent up one bill to the protector, nor took any notice of him. Being informed that conspiracies were entered into between the members and some malcontent officers, he hastened to the dissolution of so dangerous an assembly. [1655.] By the instrument of government to which he had sworn, no Parliament could be dissolved till it had sat five months; but Cromwell pretended that a month contained only twenty-eight days, according to the method of computation practised in paying the fleet and army. The full time, therefore, according to this reckoning, being elapsed, the Parliament was ordered to attend the protector, who made them a tedious, confused, angry harangue, and dismissed them. Were we to judge of Cromwell's capacity by this, and indeed by all his other compositions, we should be apt to entertain no very favorable idea of it. But in the great variety of human geniuses, there are some which, though they see their object clearly and distinctly in general, yet, when they come to unfold its parts by discourse or writing,

<sup>13</sup> Thurloe, vol. ii. p. 620.



lose that luminous conception which they had before attained. All accounts agree in ascribing to Cromwell a tiresome, dark, unintelligible elocution, even when he had no intention to disguise his meaning; yet no man's actions were ever, in such a variety of difficult incidents, more decisive and judicious.

The electing of a discontented Parliament is a proof of a discontented nation; the angry and abrupt dissolution of that Parliament is always sure to increase the general discontent. The members of this assembly, returning to their counties, propagated that spirit of mutiny which they had exerted in the House. Sir Harry Vane and the old republicans, who maintained the indissoluble authority of the Long Parliament, encouraged the murmurs against the present usurpation, though they acted so cautiously as to give the protector no handle against them. Wildman and some others of that party carried still further their conspiracies against the protector's authority. The royalists, observing this general ill-will towards the establishment, could no longer be retained in subjection, but fancied that every one who was dissatisfied like them had also embraced the same views and inclinations. They did not consider that the old parliamentary party, though many of them were displeased with Cromwell, who had dispossessed them of their power, were still more apprehensive of any success to the royal cause; whence, besides a certain prospect of the same consequence, they had so much reason to dread the severest vengeance for their past transgressions.

In concert with the king, a conspiracy was entered into by the royalists throughout England, and a day of general rising appointed. Information of this design was conveyed to Cromwell. The protector's administration was extremely vigilant. Thurloe, his secretary, had spies everywhere. Manning, who had access to the king's family, kept a regular correspondence with him. And it was not difficult to obtain intelligence of a confederacy so generally diffused among a party who valued themselves more on zeal and courage than on secrecy and sobriety. Many of the royalists were thrown into prison. Others, on the approach of the day, were terrified with the danger of the undertaking and remained at home. In one place alone the conspiracy broke into action. Penruddoc, Groves, Jones, and other gentlemen of the west entered Salisbury with about two hundred horse, at the very time when the sheriff and judges were holding the assizes.

These they made prisoners, and they proclaimed the king. Contrary to their expectations, they received no accession of force, so prevalent was the terror of the established government. Having in vain wandered about for some time, they were totally discouraged; and one troop of horse was able at last to suppress them. The leaders of the conspiracy, being taken prisoners, were capitally punished. The rest were sold for slaves, and transported to Barbadoes.

The easy subduing of this insurrection, which, by the boldness of the undertaking, struck at first a great terror into the nation, was a singular felicity to the protector, who could not, without danger, have brought together any considerable body of his mutinous army, in order to suppress it. The very insurrection itself he regarded as a fortunate event, since it proved the reality of those conspiracies which his enemies, on every occasion, represented as mere fictions, invented to color his tyrannical severities. He resolved to keep no longer any terms with the royalists, who, though they were not perhaps the most implacable of his enemies, were those whom he could oppress under the most plausible pretences, and who met with least countenance and protection from his adherents. He issued an edict, with the consent of his council, for exacting the tenth penny from that whole party, in order, as he pretended, to make them pay the expenses to which their mutinous disposition continually exposed the public. Without regard to compositions, articles of capitulation, or acts of indemnity, all the royalists, however harassed with former oppressions, were obliged anew to redeem themselves by great sums of money; and many of them were reduced by these multiplied disasters to extreme poverty. Whoever was known to be disaffected, or even lay under any suspicion, though no guilt could be proved against him, was exposed to the new exaction.

In order to raise this imposition, which commonly passed by the name of decimation, the protector instituted twelve major-generals, and divided the whole kingdom of England into so many military jurisdictions.<sup>14</sup> These men, assisted by commissioners, had power to subject whom they pleased to decimation, to levy all the taxes imposed by the protector and his council, and to imprison any person who should be exposed to their jealousy or suspicion; nor was there any appeal from them but to the protector himself and his council. Under color of these powers, which were sufficiently

<sup>14</sup> Parliamentary History, vol. xx. p. 433.

exorbitant, the major-generals exercised an authority still more arbitrary, and acted as if absolute masters of the property and person of every subject. All reasonable men now concluded that the very mask of liberty was thrown aside, and that the nation was forever subjected to military and despotic government, exercised not in the legal manner of European nations, but according to the maxims of Eastern tyranny. Not only the supreme magistrate owed his authority to illegal force and usurpation; he had parcelled out the people into so many subdivisions of slavery, and had delegated to his inferior ministers the same unlimited authority which he himself had so violently assumed.

A government totally military and despotic is almost sure, after some time, to fall into impotence and languor; but when it immediately succeeds a legal constitution, it may, at first, to foreign nations, appear very vigorous and active, and may exert with more unanimity that power, spirit, and riches which had been acquired under a better form. It seems now proper, after so long an interval, to look abroad to the general state of Europe, and to consider the measures which England at this time embraced in its negotiations with the neighboring princes. The moderate temper and unwarlike genius of the two last princes, the extreme difficulties under which they labored at home, and the great security which they enjoyed from foreign enemies, had rendered them negligent of the transactions on the Continent; and England, during their reigns, had been in a manner overlooked in the general system of Europe. The bold and restless genius of the protector led him to extend his alliances and enterprises to every part of Christendom; and, partly from the ascendant of his magnanimous spirit, partly from the situation of foreign kingdoms, the weight of England, even under its most legal and bravest princes, was never more sensibly felt than during this unjust and violent usurpation.

A war of thirty years, the most signal and most destructive that had appeared in modern annals, was at last finished in Germany;<sup>15</sup> and by the treaty of Westphalia were composed those fatal quarrels which had been excited by the Palatine's precipitate acceptance of the crown of Bohemia. The young Palatine was restored to part of his dignities and of his dominions.<sup>16</sup> The rights, privileges,

<sup>15</sup> In 1648.

<sup>16</sup> This prince, during the civil wars, had much neglected his uncle, and paid court to the Parliament. He accepted of a pension of eight thousand pounds a year from them, and took a place in their assembly of divines.

and authority of the several members of the Germanic body were fixed and ascertained ; sovereign princes and free states were in some degree reduced to obedience under laws ; and by the valor of the heroic Gustavus, the enterprises of the active Richelieu, the intrigues of the artful Mazarine, was in part effected, after an infinite expense of blood and treasure, what had been fondly expected and loudly demanded from the feeble efforts of the pacific James, seconded by the scanty supplies of his jealous parliaments.

Sweden, which had acquired by conquest large dominions in the north of Germany, was engaged in enterprises which promised her, from her success and valor, still more extensive acquisitions on the side both of Poland and of Denmark. Charles X., who had mounted the throne of that kingdom after the voluntary resignation of Christina, being stimulated by the fame of Gustavus, as well as by his own martial disposition, carried his conquering arms to the south of the Baltic, and gained the celebrated battle of Warsaw, which had been obstinately disputed during the space of three days. The protector, at the time his alliance was courted by every power in Europe, anxiously courted the alliance of Sweden ; and he was fond of forming a confederacy with a Protestant power of such renown, even though it threatened the whole North with conquest and subjection.

The transactions of the Parliament and protector with France had been various and complicated. The emissaries of Richelieu had furnished fuel to the flame of rebellion when it first broke out in Scotland ; but after the conflagration had diffused itself, the French court, observing the materials to be of themselves sufficiently combustible, found it unnecessary any longer to animate the British malcontents to an opposition of their sovereign. On the contrary, they offered their mediation for composing these intestine disorders ; and their ambassadors, from decency, pretended to act in concert with the court of England, and to receive directions from a prince with whom their master was connected by so near an affinity. Meanwhile, Richelieu died ; and soon after him the French king, Louis XIII., leaving his son, an infant four years old, and his widow, Anne of Austria, regent of the kingdom. Cardinal Mazarine succeeded Richelieu in the ministry ; and the same plans of general policy, though by men of such opposite characters, was still continued in the French councils. The establishment of royal authority, the reduction of the Austrian family, were



pursued with ardor and success; and every year brought an accession of force and grandeur to the French monarchy. Not only battles were won, towns and fortresses taken; the genius too of the nation seemed gradually to improve, and to compose itself to the spirit of dutiful obedience and of steady enterprise. A Condé, a Turenne, were formed; and the troops, animated by their valor and guided by their discipline, acquired every day a greater ascendant over the Spaniards. All of a sudden, from some intrigues of the court and some discontents in the courts of judicature, intestine commotions were excited, and everything relapsed into confusion. But these rebellions of the French, neither ennobled by the spirit of liberty nor disgraced by the fanatical extravagances which distinguished the British civil wars, were conducted with little bloodshed, and made but a small impression on the minds of the people. Though seconded by the force of Spain and conducted by the Prince of Condé, the malcontents, in a little time, were either expelled or subdued; and the French monarchy, having lost a few of its conquests, returned with fresh vigor to the acquisition of new dominion.

The Queen of England and her son Charles, during these commotions, passed most of their time at Paris, and, notwithstanding their near connection of blood, received but few civilities, and still less support, from the French court. Had the queen-regent been ever so much inclined to assist the English prince, the disorders of her own affairs would for a long time have rendered such intentions impracticable. The banished queen had a moderate pension assigned her; but it was so ill paid, and her credit ran so low, that one morning when the Cardinal de Retz waited on her, she informed him that her daughter, the Princess Henrietta, was obliged to lie a-bed for want of a fire to warm her. To such a condition was reduced, in the midst of Paris, a queen of England, and daughter of Henry IV. of France.

The English Parliament, however, having assumed the sovereignty of the state, resented the countenance, cold as it was, which the French court gave to the unfortunate monarch. On pretence of injuries, of which the English merchants complained, they issued letters of reprisal upon the French, and Blake went so far as to attack and seize the whole squadron of ships which were carrying supplies to Dunkirk, then closely besieged by the Spaniards. That town, disappointed of these supplies, fell into the hands of

the enemy. The French ministry soon found it necessary to change their measures. They treated Charles with such affected indifference that he thought it more decent to withdraw, and prevent the indignity of being desired to leave the kingdom. He went first to Spa, thence he retired to Cologne, where he lived two years on a small pension (about six thousand pounds a year), paid him by the court of France, and on some contributions sent him by his friends in England. In the management of his family he discovered a disposition to order and economy; and his temper, cheerful, careless, and sociable, was more than a sufficient compensation for that empire of which his enemies had bereaved him. Sir Edward Hyde, created lord chancellor, and the Marquis of Ormond were his chief friends and confidants.

If the French ministry had thought it prudent to bend under the English Parliament, they deemed it still more necessary to pay deference to the protector when he assumed the reins of government. Cardinal Mazarine, by whom all the councils of France were directed, was artful and vigilant, supple and patient, false and intriguing; desirous rather to prevail by dexterity than violence, and placing his honor more in the final success of his measures than in the splendor and magnanimity of the means which he employed. Cromwell, by his imperious character, rather than by the advantage of his situation, acquired an ascendant over this man, and every proposal made by the protector, however unreasonable in itself, and urged with whatever insolence, met with a ready compliance from the politic and timid cardinal. Bourdeaux was sent over to England as minister; and all circumstances of respect were paid to the daring usurper who had imbrued his hands in the blood of a sovereign, a prince so nearly related to the royal family of France. With indefatigable patience did Bourdeaux conduct this negotiation, which Cromwell seemed entirely to neglect; and though privateers with English commissions committed daily depredations on the French commerce, Mazarine was content, in hopes of a fortunate issue, still to submit to these indignities.<sup>17</sup>

The court of Spain, less connected with the unfortunate royal family, and reduced to greater distress than the French monarchy, had been still more forward in her

<sup>17</sup> Thurloe, vol. iii. pp. 103, 619, 653. In the treaty, which was signed after long negotiation, the protector's name was inserted before the French king's in that copy which remained in England.—Thurloe, vol. vi. p. 116. See further vol. vii. p. 178.

advances to the prosperous Parliament and protector. Don Alonzo de Cardenas, the Spanish envoy, was the first public minister who recognized the authority of the new republic ; and in return for this civility Ascham was sent envoy into Spain by the Parliament. No sooner had this minister arrived at Madrid than some of the banished royalists, inflamed by that inveterate hatred which animated the English factions, broke into his chamber and murdered him, together with his secretary. Immediately they took sanctuary in the churches, and, assisted by the general favor which everywhere attended the royal cause, were enabled, most of them, to make their escape. Only one of the criminals suffered death, and the Parliament seemed to rest satisfied with this atonement.

Spain at this time, assailed everywhere by vigorous enemies from without, and laboring under many internal disorders, retained nothing of her former grandeur except the haughty pride of her counsels and the hatred and jealousy of her neighbors. Portugal had rebelled, and established her monarchy in the house of Braganza ; Catalonia, complaining of violated privileges, had revolted to France ; Naples was shaken with popular convulsions ; the Low Countries were invaded with superior forces and seemed ready to change their master ; the Spanish infantry, anciently so formidable, had been annihilated by Condé in the fields of Rocroy ; and though the same prince, banished France, sustained by his activity and valor the falling fortunes of Spain, he could only hope to protract, not prevent, the ruin with which that monarchy was visibly threatened.

Had Cromwell understood and regarded the interests of his country, he would have supported the declining condition of Spain against the dangerous ambition of France, and preserved that balance of power on which the greatness and security of England so much depend. Had he studied only his own interests, he would have maintained an exact neutrality between those great monarchies ; nor would he have hazarded his ill-acquired and unsettled power by provoking foreign enemies, who might lend assistance to domestic faction and overturn his tottering throne. But his magnanimity undervalued danger ; his active disposition and avidity of extensive glory made him incapable of repose, and as the policy of men is continually warped by their temper, no sooner was peace made with Holland than he began to deliberate what new enemy he should invade with his victorious arms.

The extensive empire and yet extreme weakness of Spain in the West Indies, the vigorous courage and great naval power of England, were circumstances which, when compared, excited the ambition of the enterprising protector, and made him hope that he might by some gainful conquest render forever illustrious that dominion which he had assumed over his country. Should he fail in these durable acquisitions, the Indian treasures, which must every year cross the ocean to reach Spain, were, he thought, a sure prey to the English navy, and would support his military force without his laying new burdens on the discontented people. From France a vigorous resistance must be expected; no plunder, no conquests, could be hoped for; the progress of his arms, even attended with success, must there be slow and gradual, and the advantages acquired, however real, would be less striking to the multitude, whom it was his interest to allure. The royal family, so closely connected with the French monarch, might receive great assistance from that neighboring kingdom, and an army of French Protestants, landed in England, would be able, he dreaded, to unite the most opposite factions against the present usurpation.<sup>18</sup>

These motives of policy were probably seconded by his bigoted prejudices, as no human mind ever contained so strange a mixture of sagacity and absurdity as that of this extraordinary personage. The Swedish alliance, though much contrary to the interests of England, he had contracted merely from his zeal for Protestantism,<sup>19</sup> and Sweden, being closely connected with France, he could not hope to maintain that confederacy in which he so much prided himself should a rupture ensue between England and this latter kingdom.<sup>20</sup> The Huguenots, he expected, would meet with better treatment, while he engaged in a close union with their sovereign.<sup>21</sup> And as the Spaniards were much more papists than the French, were much more exposed to the old puritanical hatred,<sup>22</sup> and had even erected the bloody tribunal of the Inquisition, whose rigors they had refused to mitigate on Cromwell's solicitation,<sup>23</sup> he hoped that a

<sup>18</sup> See the account of the negotiations with France and Spain by Thurloe, vol. i. p. 759.

<sup>19</sup> He proposed to Sweden a general league and confederacy of all the Protestants.—Whitlocke, p. 620. Thurloe, vol. vii. p. 1. In order to judge of the maxims by which he conducted his foreign politics, see further Thurloe, vol. iv. p. 295, 343, 443; vol. vii. p. 174.

<sup>20</sup> Thurloe, vol. i. p. 759.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid. Don Alonzo said that the Indian trade and the Inquisition were his master's two eyes, and the protector insisted upon the putting out both of them at once.



holy and meritorious war with such idolaters could not fail of protection from Heaven.<sup>24</sup> A preacher likewise, inspired, as was supposed, by a prophetic spirit, bade him "go and prosper;" calling him "a stone cut out of the mountains without hands, that would break the pride of the Spaniard, crush Antichrist, and make way for the purity of the Gospel over the whole world."<sup>25</sup>

Actuated equally by these bigoted, these ambitious, and these interested motives, the protector equipped two considerable squadrons; and while he was making those preparations, the neighboring states, ignorant of his intentions, remained in suspense, and looked with anxious expectation on what side the storm should discharge itself. One of these squadrons, consisting of thirty capital ships, was sent into the Mediterranean under Blake, whose fame was now spread over Europe. No English fleet, except during the Crusades, had ever before sailed in those seas, and from one extremity to the other there was no naval force, Christian or Mahometan, able to resist them. The Roman pontiff, whose weakness and whose pride equally provoked attacks, dreaded invasion from a power which professed the most inveterate enmity against him, and which so little regulated its movements by the usual motives of interest and prudence. Blake, casting anchor before Leghorn, demanded and obtained from the Duke of Tuscany reparation for some losses which the English commerce had formerly sustained from him. He next sailed to Algiers, and compelled the dey to make peace, and to restrain his piratical subjects from further violences on the English. He presented himself before Tunis, and having there made the same demands, the dey of that republic bade him look to the castles of Porto Farino and Goletta, and do his utmost. Blake needed not to be roused by such a bravado; he drew his ships close up to the castles, and tore them in pieces with his artillery. He sent a numerous detachment of sailors in their long boats into the harbor, and burned every ship which lay there. This bold action, which its very temerity, perhaps, rendered safe, was executed with little loss, and filled all that part of the world with the renown of English valor.

The other squadron was not equally successful. It was commanded by Pen, and carried on board four thousand men, under the command of Venables. About five thousand more joined them from Barbadoes and St. Christopher's.

<sup>24</sup> Carrington, p. 191.

<sup>25</sup> Bates.

Both these officers were inclined to the king's service,<sup>26</sup> and it is pretended that Cromwell was obliged to hurry the soldiers on board, in order to prevent the execution of a conspiracy which had been formed among them in favor of the exiled family.<sup>27</sup> The ill success of this enterprise may justly be ascribed as much to the injudicious schemes of the protector, who planned it, as to the bad execution of the officers by whom it was conducted. The soldiers were the refuse of the whole army; the forces enlisted in the West Indies were the most profligate of mankind; Pen and Venables were of incompatible tempers; the troops were not furnished with arms fit for such an expedition; their provisions were defective both in quantity and quality; all hopes of pillage, the best incentive to valor among such men, were refused the soldiers and seamen; no directions or intelligence were given to conduct the officers in their enterprise; and at the same time they were tied down to follow the advice of commissioners who disconcerted them in all their projects.<sup>28</sup>

It was agreed by the admiral and general to attempt St. Domingo, the only place of strength in the island of Hispaniola. On the approach of the English, the Spaniards, in a fright, deserted their houses, and fled into the woods. Contrary to the opinion of Venables, the soldiers were disembarked without guides, ten leagues distant from the town. They wandered four days through the woods without provisions, and, what was still more intolerable in that sultry climate, without water. The Spaniards recovered spirit, and attacked them. The English, discouraged with the bad conduct of their officers, and scarcely alive from hunger, thirst, and fatigue, were unable to resist. An inconsiderable number of the enemy put the whole army to rout, killed six hundred of them, and chased the rest on board their vessels.

The English commanders, in order to atone as much as possible for this unprosperous attempt, bent their course to Jamaica, which was surrendered to them without a blow. Pen and Venables returned to England, and were both of them sent to the Tower by the protector, who, though commonly master of his fiery temper, was thrown into a violent passion at this disappointment. He had made a conquest

<sup>26</sup> Clarendon.

<sup>27</sup> Vita D. Berwici, p. 124.

<sup>28</sup> Burchet's Naval History. See also Carte's Collection, vol. ii. pp. 46, 47. Thurloe, vol. iii. p. 505.

of greater importance than he was himself at that time aware of; yet was it much inferior to the vast projects which he had formed. He gave orders, however, to support it by men and money; and that island has ever since remained in the hands of the English, the chief acquisition which they owe to the enterprising spirit of Cromwell.

[1656.] As soon as the news of this expedition, which was an unwarrantable violation of treaty, arrived in Europe, the Spaniards declared war against England, and seized all the ships and goods of English merchants of which they could make themselves masters. The commerce with Spain, so profitable to the English, was cut off; and near fifteen hundred vessels, it is computed,<sup>29</sup> fell in a few years into the hands of the enemy. Blake, to whom Montague was now joined in command, after receiving new orders, prepared himself for hostilities against the Spaniards.

Several sea officers, having entertained scruples of conscience with regard to the justice of the Spanish war, threw up their commissions and retired.<sup>30</sup> No commands, they thought, of their superiors could justify a war which was contrary to the principles of natural equity, and which the civil magistrate had no right to order. Individuals, they maintained, in resigning to the public their natural liberty, could bestow on it only what they themselves were possessed of, a right of performing lawful actions, and could invest it with no authority of commanding what is contrary to the decrees of Heaven. Such maxims, though they seem reasonable, are perhaps too perfect for human nature, and must be regarded as one effect—though of the most innocent and even honorable kind—of that spirit, partly fanatical, partly republican, which predominated in England.

Blake lay some time off Cadiz in expectation of intercepting the Plate fleet, but was at last obliged, for want of water, to make sail towards Portugal. Captain Stayner, whom he had left on the coast with a squadron of seven vessels, came in sight of the galleons, and immediately set sail to pursue them. The Spanish admiral ran his ship ashore; two others followed his example; the English took two ships valued at near two millions of pieces of eight. Two galleons were set on fire; and the Marquis of Badajoz, Viceroy of Peru, with his wife, and his daughter (betrothed to the young Duke of Medina Celi), were destroyed in them. The

<sup>29</sup> Thurloe, vol. iv. p. 135. World's Mistake in Oliver Cromwell, in the Harleian Miscel. vol. i.

<sup>30</sup> Thurloe, vol. iv. pp. 570, 589.

marquis himself might have escaped, but, seeing these unfortunate women, astonished with the danger, fall in a swoon and perish in the flames, he rather chose to die with them than drag out a life embittered with the remembrance of such dismal scenes.<sup>31</sup> When the treasures gained by this enterprise arrived at Portsmouth, the protector, from a spirit of ostentation, ordered them to be transported by land to London.

The next action against the Spaniards was more honorable, though less profitable, to the nation. Blake, having heard that a Spanish fleet of sixteen ships, much richer than the former, had taken shelter in the Canaries, immediately made sail towards them. He found them in the bay of Santa Cruz, disposed in a formidable posture. The bay was secured with a strong castle, well provided with cannon, besides seven forts in several parts of it, all united by a line of communication, manned with musketeers. Don Diego Diagues, the Spanish admiral, ordered all his smaller vessels to moor close to the shore, and posted the large galleons farther off, at anchor, with their broadsides to the sea.

Blake was rather animated than daunted with this appearance. The wind seconded his courage, and, blowing full into the bay, in a moment brought him among the thickest of his enemies. After a resistance of four hours, the Spaniards yielded to English valor, and abandoned their ships, which were set on fire, and consumed with all their treasure. The greatest danger still remained to the English. They lay under the fire of the castles and all the forts, which must in a little time have torn them in pieces. But the wind, suddenly shifting, carried them out of the bay, where they left the Spaniards in astonishment at the happy temerity of their audacious victors.

This was the last and greatest action of the gallant Blake. He was consumed with a dropsy and scurvy, and hastened home that he might yield up his breath in his native country, which he had so much adorned by his valor. As he came within sight of land, he expired.<sup>32</sup> Never man so zealous for a faction was so much respected and esteemed even by the opposite factions. He was by principle an inflexible republican; and the late usurpations, amid all the trusts and caresses which he received from the ruling powers, were thought to be very little grateful to him. "It is still our duty," he said to the seamen, "to fight for our country,

<sup>31</sup> Thurloe, vol. v. p. 443.

<sup>32</sup> 20th of April, 1657.



into what hands soever the government may fall." Disinterested, generous, liberal, ambitious only of true glory, dreadful only to his avowed enemies, he forms one of the most perfect characters of the age, and the least stained with those errors and violences which were then so predominant. The protector ordered him a pompous funeral at the public charge; but the tears of his countrymen were the most honorable panegyric on his memory.

The conduct of the protector in foreign affairs, though imprudent and impolitic, was full of vigor and enterprise, and drew a consideration to his country which, since the reign of Elizabeth, it seemed to have totally lost. The great mind of this successful usurper was intent on spreading the renown of the English nation; and, while he struck mankind with astonishment at his extraordinary fortune, he seemed to ennoble instead of debasing that people whom he had reduced to subjection. It was his boast that he would render the name of an Englishman as much feared and revered as ever was that of a Roman; and, as his countrymen found some reality in these pretensions, their national vanity being gratified, made them bear with more patience all the indignities and calamities under which they labored.

It must also be acknowledged that the protector, in his civil and domestic administration, displayed as great regard both to justice and clemency as his usurped authority, derived from no law and founded only on the sword, could possibly permit. All the chief offices in the courts of judicature were filled with men of integrity; amid the virulence of faction, the decrees of the judges were upright and impartial; and to every man but himself, and to himself except where necessity required the contrary, the law was the great rule of conduct and behavior. Vane and Lilburn, whose credit with the republicans and Levellers he dreaded, were indeed for some time confined to prison. Cony, who refused to pay illegal taxes, was obliged by menaces to depart from his obstinacy. High courts of justice were erected to try those who had engaged in conspiracies and insurrections against the protector's authority, and whom he could not safely commit to the verdicts of juries. But these irregularities were deemed inevitable consequences of his illegal authority. And, though often urged by his officers, as is pretended,<sup>33</sup> to attempt a general massacre of the royalists, he always with horror rejected such sanguinary counsels.

<sup>33</sup> Clarendon, *Life of Dr. Berwick*.

In the army was laid the whole basis of the protector's power, and in managing it consisted the chief art and delicacy of his government. The soldiers were held in exact discipline—a policy which both accustomed them to obedience, and made them less hateful and burdensome to the people. He augmented their pay, though the public necessities sometimes obliged him to run in arrears to them. Their interests, they were sensible, were closely connected with those of their general and protector; and he entirely commanded their affectionate regard by his abilities and success in almost every enterprise which he had hitherto undertaken. But all military government is precarious; much more where it stands in opposition to civil establishments, and still more where it encounters religious prejudices. By the wild fanaticism which he had nourished in the soldiers, he had seduced them into measures for which, if openly proposed to them, they would have entertained the utmost aversion. But this same spirit rendered them more difficult to be governed, and made their caprices terrible even to that hand which directed their movements. So often taught that the office of king was a usurpation upon Christ, they were apt to suspect a protector not to be altogether compatible with that divine authority. Harrison, though raised to the highest dignity and possessed of Cromwell's confidence, became his most inveterate enemy as soon as the authority of a single person was established against which that usurper had always made such violent protestations. Overton, Rich, Okey, officers of rank in the army, were actuated with like principles, and Cromwell was obliged to deprive them of their commissions. Their influence, which was before thought unbounded among the troops, seemed from that moment to be totally annihilated.

The more effectually to curb the enthusiastic and seditious spirit of the troops, Cromwell established a kind of militia in the several counties. Companies of infantry and cavalry were enlisted under proper officers, regular pay distributed among them, and a resource by that means provided both against the insurrections of the royalists and mutiny of the army.

Religion can never be deemed a point of small consequence in civil government; but during this period it may be regarded as the great spring of men's actions and determinations. Though transported himself with the most frantic whimsies, Cromwell had adopted a scheme for regulating

this principle in others which was sagacious and political. Being resolved to maintain a national church, yet determined neither to admit Episcopacy nor Presbytery, he established a number of commissioners under the name of *triers*, partly laymen, partly ecclesiastics, some Presbyterians, some Independents. These presented to all livings which were formerly in the gift of the crown; they examined and admitted such persons as received holy orders; and they inspected the lives, doctrine, and behavior of the clergy. Instead of supporting that union between learning and theology which has so long been attempted in Europe, these triers embraced the latter principle in its full purity, and made it the sole object of their examination. The candidates were no more perplexed with questions concerning their progress in Greek and Roman erudition, concerning their talent for profane arts and sciences: the chief object of scrutiny regarded their advances in grace, and fixing the critical moment of their conversion.

With the pretended saints of all denominations Cromwell was familiar and easy. Laying aside the state of protector, which, on other occasions, he well knew how to maintain, he insinuated to them that nothing but necessity could ever oblige him to invest himself with it. He talked spiritually to them. He sighed, he wept, he canted, he prayed. He even entered with them into an emulation of ghostly gifts; and these men, instead of grieving to be outdone in their own way, were proud that his highness, by his princely example, had dignified those practices in which they themselves were daily occupied.<sup>34</sup>

If Cromwell might be said to adhere to any particular form of religion, they were the Independents who could chiefly boast of his favor; and it may be affirmed that such pastors of that sect as were not passionately addicted to civil liberty were all of them devoted to him.

The Presbyterian clergy also, saved from the ravages of the Anabaptists and Millenarians, and enjoying their establishments and tithes, were not averse to his government, though he still entertained a great jealousy of that ambi-

<sup>34</sup> Cromwell followed, though but in part, the advice which he received from General Harrison at the time when the intimacy and endearment most strongly subsisted betwixt them. "Let the waiting upon Jehovah," said that military saint, "be the greatest and most considerable business you have every day. Reckon it so, more than to eat, sleep, and counsel together. Run aside sometimes from your company, and get a word with the Lord. Why should not you have three or four precious souls always standing at your elbow, with whom you might now and then turn into a corner? I have found refreshment and mercy in such a way."—Milton's State Papers, p. 12.

tious and restless spirit by which they were actuated. He granted an unbounded liberty of conscience to all but Catholics and prelaticists; and by that means he both attached the wild sectaries to his person, and employed them in curbing the domineering spirit of the Presbyterians. "I am the only man," he was often heard to say, "who has known how to subdue that insolent sect which can suffer none but itself."

The Protestant zeal which possessed the Presbyterians and Independents was highly gratified by the haughty manner in which the protector so successfully supported the persecuted Protestants throughout all Europe. Even the Duke of Savoy, so remote a power, and so little exposed to the naval force of England, was obliged, by the authority of France, to comply with his mediation, and to tolerate the Protestants of the valleys, against whom that prince had commenced a furious persecution. France itself was constrained to bear, not only with the religion, but even, in some instances, with the seditious insolence, of the Huguenots; and when the French court applied for a reciprocal toleration of the Catholic religion in England, the protector, who arrogated in everything the superiority, would hearken to no such proposal. He had entertained a project of instituting a college, in imitation of that at Rome, for the propagation of the faith; and his apostles in zeal, though not in unanimity, had certainly been a full match for the Catholics.

Cromwell retained the Church of England in constraint, though he permitted its clergy a little more liberty than the republican Parliament had formerly allowed. He was pleased that the superior lenity of his administration should in everything be remarked. He bridled the royalists, both by the army which he retained and by those secret spies which he found means to intermix in all their counsels. Manning being detected and punished with death, he corrupted Sir Richard Willis, who was much trusted by Chancellor Hyde and all the royalists; and by means of this man he was let into every design and conspiracy of the party. He could disconcert any project by confining the persons who were to be the actors in it; and as he restored them afterwards to liberty, his severity passed only for the result of general jealousy and suspicion. The secret source of his intelligence remained still unknown and unsuspected.

Conspiracies for an assassination he was chiefly afraid of,



these being designs which no prudence or vigilance could evade. Colonel Titus, under the name of Allen, had written a spirited discourse, exhorting every one to embrace this method of vengeance; and Cromwell knew that the inflamed minds of the royal party were sufficiently disposed to put the doctrine in practice against him. He openly told them that assassinations were base and odious, and he never would commence hostilities by so shameful an expedient; but if the first attempt or provocation came from them, he would retaliate to the uttermost. He had instruments, he said, whom he could employ, and he never would desist till he had totally exterminated the royal family. This menace, more than all his guards, contributed to the security of his person.<sup>35</sup>

There was no point about which the protector was more solicitous than to procure intelligence. This article alone, it is said, cost him sixty thousand pounds a year. Postmasters, both at home and abroad, were in his pay; carriers were searched or bribed; secretaries and clerks were corrupted; the greatest zealots in all parties were often those who conveyed private information to him; and nothing could escape his vigilant inquiry. Such at least is the representation made by historians of Cromwell's administration. But it must be confessed that, if we may judge by those volumes of Thurloe's papers which have been lately published, this affair, like many others, has been greatly magnified. We scarcely find by that collection that any secret counsels of foreign states, except those of Holland, which are not expected to be concealed, were known to the protector.

The general behavior and deportment of this man, who had been raised from a very private station, who had passed most of his youth in the country, and who was still constrained so much to frequent bad company, was such as might befit the greatest monarch. He maintained a dignity without either affectation or ostentation, and supported with all strangers that high idea with which his great exploits and prodigious fortune had impressed them. Among his ancient friends he could relax himself; and by trifling and amusement, jesting and making verses, he feared not exposing himself to their most familiar approaches.<sup>36</sup> With others he sometimes pushed matters to the length of rustic buffoonery; and he would amuse himself by putting burn-

<sup>35</sup> See note [LI.] at the end of the volume.

<sup>36</sup> Whitlocke, p. 647.

ing coals into the boots and hose of the officers who attended him.<sup>37</sup> Before the king's trial, a meeting was agreed on between the chiefs of the republican party and the general officers, in order to concert the model of that free government which they were to substitute in the room of the monarchical constitution now totally subverted. After debates on this subject—the most important that could fall under the discussion of human creatures—Ludlow tells us that Cromwell, by way of frolic, threw a cushion at his head; and when Ludlow took up another cushion, in order to return the compliment, the general ran down-stairs, and had almost fallen in the hurry. When the high court of justice was signing the warrant for the execution of the king, a matter, if possible, still more serious, Cromwell, taking the pen in his hand, before he subscribed his name, bedaubed with ink the face of Martin, who sat next him; and, the pen being delivered to Martin, he practised the same frolic upon Cromwell.<sup>38</sup> He frequently gave feasts to his inferior officers; and when the meat was set upon the table, a signal was given, the soldiers rushed in upon them, and with much noise, tumult, and confusion, ran away with all the dishes, and disappointed the guests of their expected meal.<sup>39</sup>

That vein of the frolic and pleasantry which made a part, however inconsistent, of Cromwell's character was apt sometimes to betray him into other inconsistencies, and to discover itself even where religion might seem to be a little concerned. It is a tradition that one day, sitting at table, the protector had a bottle of wine brought him, of a kind which he valued so highly that he must needs open the bottle himself; but in attempting it, the corkscrew dropped from his hand. Immediately his courtiers and generals flung themselves on the floor to recover it. Cromwell burst out a-laughing. "Should any fool," said he, "put in his head at the door, he would fancy, from your posture, that you were seeking the Lord; and you are only seeking a corkscrew."

Amid all the unguarded play and buffoonery of this singular personage, he took the opportunity of remarking the characters, designs, and weaknesses of men; and he would sometimes push them, by an indulgence in wine, to open to him the most secret recesses of their bosom. Great regularity, however, and even austerity of manners, were always maintained in his court; and he was careful never,

<sup>37</sup> Bates<sup>38</sup> Trial of the Regicides.<sup>39</sup> Bates.

by any liberties, to give offence to the most rigid of the godly. Some state was upheld, but with little expense and without any splendor. The nobility, though courted by him, kept at a distance, and disdained to intermix with those mean persons who were the instruments of his government. Without departing from economy, he was generous to those who served him; and he knew how to find out and engage in his interests every man possessed of those talents which any particular employment demanded. His generals, his admirals, his judges, his ambassadors, were persons who contributed, all of them in their several spheres, to the security of the protector, and to the honor and interest of the nation.

Under pretence of uniting Scotland and Ireland in one commonwealth with England, Cromwell had reduced those kingdoms to a total subjection; and he treated them entirely as conquered provinces. The civil administration of Scotland was placed in a council consisting mostly of English, of which Lord Broghil was president. Justice was administered by seven judges, four of whom were English. In order to curb the tyrannical nobility, he both abolished all vassalage,<sup>40</sup> and revived the office of justice of peace, which King James had introduced but was not able to support.<sup>41</sup> A long line of forts and garrisons was maintained throughout the kingdom. An army of ten thousand men <sup>42</sup> kept everything in peace and obedience; and neither the banditti of the mountains nor the bigots of the Low Countries could indulge their inclination to turbulence and disorder. He courted the Presbyterian clergy, though he nourished that intestine enmity which prevailed between resolutioners and protesters; and he found that very little policy was requisite to foment quarrels among theologians. He permitted no church assemblies, being sensible that from thence had proceeded many of the past disorders; and, in the main, the Scots were obliged to acknowledge that never before, while they enjoyed their irregular, factious liberty, had they obtained so much happiness as at present, when reduced to subjection under a foreign nation.

The protector's administration of Ireland was more severe and violent. The government of that Island was first intrusted to Fleetwood, a notorious fanatic, who had married Ireton's widow; then to Henry Cromwell, second son of the protector, a young man of an amiable, mild dis-

<sup>40</sup> Whitlocke, p. 570. <sup>41</sup> Thurloe, vol. iv. p. 57. <sup>42</sup> Thurloe, vol. iv. p. 557.

position, and not destitute of vigor and capacity. Above five millions of acres, forfeited either by the popish rebels or by the adherents of the king, were divided, partly among the adventurers who had advanced money to the Parliament, partly among the English soldiers who had arrears due to them. Examples of a more sudden and violent change of property are scarcely to be found in any history. An order was even issued to confine all the native Irish to the province of Connaught, where they would be shut up by rivers, lakes, and mountains, and could not, it was hoped, be any longer dangerous to the English government; but this barbarous and absurd policy, which, from an impatience of attaining immediate security, must have depopulated all the other provinces and rendered the English estates of no value, was soon abandoned as impracticable.

Cromwell began to hope that by his administration, attended with so much lustre and success abroad, so much order and tranquillity at home, he had now acquired such authority as would enable him to meet the representatives of the nation, and would assure him of their dutiful compliance with his government. He summoned a Parliament; but, not trusting altogether to the good-will of the people, he used every art which his new model of representation allowed him to employ, in order to influence the elections and fill the House with his own creatures. Ireland, being entirely in the hands of the army, chose few but such officers as were most acceptable to him. Scotland showed a like compliance; and as the nobility and gentry of that kingdom regarded their attendance on English parliaments as an ignominious badge of slavery, it was, on that account, more easy for the officers to prevail in the elections. Notwithstanding all these precautions, the protector still found that the majority would not be favorable to him. He set guards, therefore, on the door, who permitted none to enter but such as produced a warrant from his council; and the council rejected about a hundred, who either refused a recognition of the protector's government, or were on other accounts obnoxious to him. These protested against so egregious a violence, subversive of all liberty; but every application for redress was neglected both by the council and the Parliament.

The majority of the Parliament, by means of these arts and violences, was now at last either friendly to the protector, or resolved by their compliance to adjust, if possible, this



military government to their laws and liberties. They voted a renunciation of all title in Charles Stuart or any of his family; and this was the first act dignified with the appearance of national consent which had ever had that tendency. Colonel Jephson, in order to sound the inclinations of the House, ventured to move that the Parliament should bestow the crown on Cromwell; and no surprise or reluctance was discovered on the occasion. When Cromwell afterwards asked Jephson what induced him to make such a motion, "As long," said Jephson, "as I have the honor to sit in Parliament, I must follow the dictates of my own conscience, whatever offence I may be so unfortunate as to give to you." "Get thee gone," said Cromwell, giving him a gentle blow on the shoulder—"get thee gone, for a mad fellow as thou art."

In order to pave the way to this advancement, for which he so ardently longed, Cromwell resolved to sacrifice his major-generals, whom he knew to be extremely odious to the nation. That measure was also become necessary for his own security. All government purely military fluctuates perpetually between a despotic monarchy and a despotic aristocracy, according as the authority of the chief commander prevails, or that of the officers next him in rank and dignity. The major-generals, being possessed of so much distinct jurisdiction, began to establish a separate title to power, and had rendered themselves formidable to the protector himself; and for this inconvenience, though he had not foreseen it, he well knew before it was too late to provide a proper remedy. Claypole, his son-in-law, who possessed his confidence, abandoned them to the pleasure of the House; and though the name was still retained, it was agreed to abridge, or rather entirely annihilate, the power of the major-generals.

At length a motion in form was made by Alderman Pack, one of the city members, for investing the protector with the dignity of king. This motion at first excited great disorder, and divided the whole House into parties. The chief opposition came from the usual adherents of the protector, the major-generals, and such officers as depended on them. Lambert, a man of deep intrigue, and of great interest in the army, had long entertained the ambition of succeeding Cromwell in the protectorship; and he foresaw that if the monarchy were restored, hereditary right would also be established, and the crown

transmitted to the posterity of the prince first elected. He pleaded therefore, conscience ; and rousing all those civil and religious jealousies against kingly government which had been so industriously encouraged among the soldiers, and which served them as a pretence for so many violences, he raised a numerous, and still more formidable, party against the motion.

On the other hand, the motion was supported by every one who was more particularly devoted to the protector, and who hoped by so acceptable a measure to pay court to the prevailing authority. Many persons, also attached to their country, despaired of ever being able to subvert the present illegal establishment ; and were desirous, by fixing it on ancient foundations, to induce the protector, from views of his own safety, to pay a regard to the ancient laws and liberties of the kingdom. Even the royalists imprudently joined in the measure, and hoped that, when the question regarded only persons, not forms of government, no one would any longer balance between the ancient royal family and an ignoble usurper, who, by blood, treason, and perfidy, had made his way to the throne. [1657.] The bill was voted by a considerable majority ; and a committee was appointed to reason with the protector, and to overcome those scruples which he pretended against accepting so liberal an offer.

The conference lasted for several days. The committee urged that all the statutes and customs of England were founded on the supposition of regal authority, and could not without extreme violence be adjusted to any other form of government ; that a protector, except during the minority of a king, was a name utterly unknown to the laws, and no man was acquainted with the extent or limits of his authority ; that if it were attempted to define every part of his jurisdiction, many years, if not ages, would be required for the execution of so complicated a work ; if the whole power of the king were at once transferred to him, the question was plainly about a name, and the preference was indisputably due to the ancient title ; that the English constitution was more anxious concerning the form of government than concerning the birthright of the first magistrate, and had provided, by an express law of Henry VII., for the security of those who act in defence of the king in being, by whatever means he might have acquired possession ; that it was extremely the interest of all his highness's friends to seek the

shelter of this statute, and even the people in general were desirous of such a settlement, and in all juries were with great difficulty induced to give their verdict in favor of a protector; that the great source of all the late commotions had been the jealousy of liberty; and that a republic, together with a protector, had been established, in order to provide further securities for the freedom of the constitution; but that by experience the remedy had been found insufficient, even dangerous and pernicious, since every undeterminate power, such as that of a protector, must be arbitrary, and the more arbitrary as it was contrary to the genius and inclination of the people.

The difficulty consisted not in persuading Cromwell. He was sufficiently convinced of the solidity of these reasons; and his inclination as well as judgment was entirely on the side of the committee. But how to bring over the soldiers to the same way of thinking was the question. The office of king had been painted to them in such horrible colors that there were no hopes of reconciling them suddenly to it, even though bestowed upon their general, to whom they were so much devoted. A contradiction, open and direct, to all past professions would make them pass, in the eyes of the nation, for the most shameless hypocrites, enlisted by no other than mercenary motives in the cause of the most perfidious traitor. Principles such as they were had been encouraged in them by every consideration, human and divine; and though it was easy, where interest concurred, to deceive them by the thinnest disguises, it might be found dangerous at once to pull off the mask, and to show them, in a full light, the whole crime and deformity of their conduct. Suspended between these fears and his own most ardent desires, Cromwell protracted the time, and seemed still to oppose the reasonings of the committee, in hopes that by artifice he might be able to reconcile the refractory minds of the soldiers to his new dignity.

While the protector argued so much in contradiction both to his judgment and inclination, it is no wonder that his elocution, always confused, embarrassed, and unintelligible, should be involved in tenfold darkness, and discover no glimmering of common-sense or reason. An exact account of this conference remains, and may be regarded as a great curiosity. The members of the committee, in their reasonings, discover judgment, knowledge, elocution; Lord Broghil, in particular, exerts himself on this memorable oc-

casion. But what a contrast when we pass to the protector's replies! After so singular a manner does nature distribute her talents that in a nation abounding with sense and learning, a man who, by superior personal merit alone, had made his way to supreme dignity, and had even obliged the Parliament to make him a tender of the crown, was yet incapable of expressing himself on this occasion but in a manner which a peasant of the most ordinary capacity would justly be ashamed of.<sup>43</sup>

The opposition which Cromwell dreaded was not that which came from Lambert and his adherents, whom he now regarded as capital enemies, and whom he was resolved, on the first occasion, to deprive of all power and authority; it was that which he met with in his own family, and from men who, by interests as well as inclination, were the most devoted to him. Fleetwood had married his daughter, Desborow his sister; yet these men, actuated by principle alone, could by no persuasion, artifice, or entreaty, be induced to consent that their friend and patron should be invested with regal dignity. They told him that if he accepted of the crown, they would instantly throw up their commissions, and never afterwards should have it in their power to serve him.<sup>44</sup> Colonel Pride procured a petition against the office of king, signed by the majority of the

<sup>43</sup> We shall produce any passage at random, for his discourse is all of a piece: "I confess, for it behoves me to deal plainly with you, I must confess, I would say, I hope, I may be understood in this; for indeed I must be tender what I say to such an audience as this; I say I would be understood that in this argument I do not make parallel betwixt men of a different mind and a Parliament, which shall have their desires. I know there is no comparison, nor can it be urged upon me that my words have the least color that way, because the Parliament seems to give liberty to me to say anything to you: as that, that is a tender of my humble reasons and judgment and opinion to them; and if I think they are such, and will be such to them, and are faithful servants, and will be so to the supreme authority, and the legislative, whosoever it is: if, I say, I should not tell you; knowing their minds to be so, I should not be faithful if I should not tell you so, to the end you may report it to the Parliament. I shall say something for myself, for my own mind, I do profess it, I am not a man scrupulous about words or names of such things I have not: but as I have the Word of God, and I hope I shall ever have it, for the rule of my conscience, for my informations; so truly men that have been led in dark paths, through the providence and dispensation of God: why, surely, it is not to be objected to a man; for who can love to walk in the dark? But Providence does so dispose. And though a man may impute his own folly and blindness to Providence sinfully, yet it must be at my peril; the case may be that it is the providence of God that doth lead men in darkness; I must needs say that I have had a great deal of experience of Providence, and though it is no rule without or against the Word, yet it is a very good expositor of the Word in many cases."—Conference at Whitehall. The great defect in Oliver's speeches consists, not in his want of elocution, but in his want of ideas. The sagacity of his actions and the absurdity of his discourse form the most prodigious contrast that ever was known. The collection of all his speeches, letters, sermons (for he also wrote sermons), would make a great curiosity, and, with a few exceptions, might justly pass for one of the most nonsensical books in the world.

<sup>44</sup> Thurlow, vol. vi. p. 261.



officers who were in London and the neighborhood. Several persons, it is said, had entered into an engagement to murder the protector within a few hours after he should have accepted the offer of the Parliament. Some sudden mutiny in the army was justly dreaded. And, upon the whole, Cromwell, after the agony and perplexity of long doubt, was at last obliged to refuse that crown which the representatives of the nation, in the most solemn manner, had tendered to him. Most historians are inclined to blame his choice, but he must be allowed the best judge of his own situation. And in such complicated subjects the alteration of a very minute circumstance, unknown to the spectator, will often be sufficient to cast the balance, and render a determination which, in itself, may be uneligible, very prudent, or even absolutely necessary to the actor.

A dream of prophecy Lord Clarendon mentions which, he affirms (and he must have known the truth), was universally talked of almost from the beginning of the civil wars, and long before Cromwell was so considerable a person as to bestow upon it any degree of probability. In this prophecy it was foretold that Cromwell should be the greatest man in England, and would nearly, but never would fully, mount the throne. Such a prepossession probably arose from the heated imagination either of himself or of his followers; and as it might be one cause of the great progress which he had already made, it is not an unlikely reason which may be assigned for his refusing, at this time, any further elevation.

The Parliament, when the regal dignity was rejected by Cromwell, found themselves obliged to retain the name of a commonwealth and protector; and as the government was hitherto a manifest usurpation, it was thought proper to sanctify it by a seeming choice of the people and their representatives. Instead of the *instrument of government*, which was the work of the general officers alone, *an humble petition and advice* was framed, and offered to the protector by the Parliament. This was represented as the great basis of the republican establishment, regulating and limiting the powers of each member of the constitution, and securing the liberty of the people to the most remote posterity. By this deed, the authority of protector was, in some particulars, enlarged, in others it was considerably diminished. He had the power of nominating his successor; he had a perpetual revenue assigned him—a million a year

for the pay of the fleet and army, three hundred thousand pounds for the support of civil government; and he had authority to name another House, who should enjoy their seats during life, and exercise some functions of the former House of Peers. But he abandoned the power assumed in the intervals of Parliament, of framing laws with the consent of his council; and he agreed that no members of either House should be excluded but by the consent of that House of which they were members. The other articles were, in the main, the same as in the instrument of government. The instrument of government Cromwell had formerly extolled as the most perfect work of human invention; he now represented it as a rotten plank, upon which no man could trust himself without sinking. Even the humble petition and advice, which he extolled in its turn, appeared so lame and imperfect that it was found requisite, this very session, to mend it by a supplement; and, after all, it may be regarded as a crude and undigested model of government. It was, however, accepted for the voluntary deed of the whole people in the three united nations; and Cromwell, as if his power had just commenced from this popular consent, was anew inaugurated in Westminster Hall, after the most solemn and most pompous manner.

The Parliament having adjourned itself, the protector deprived Lambert of all his commissions; but still allowed him a considerable pension of two thousand pounds a year, as a bribe for his future peaceable deportment. Lambert's authority in the army, to the surprise of everybody, was found immediately to expire with the loss of his commission. Packer and some other officers whom Cromwell suspected were also displaced.

Richard, eldest son of the protector, was brought to court, introduced into public business, and thenceforth regarded by many as his heir in the protectorship, though Cromwell sometimes employed the gross artifice of flattering others with hopes of the succession. Richard was a person possessed of the most peaceable, inoffensive, unambitious character, and had hitherto lived contentedly in the country on a small estate which his wife had brought him. All the activity which he discovered, and which never was great, was, however, exerted to beneficent purposes. At the time of the king's trial, he had fallen on his knees before his father, and had conjured him, by every tie of duty and humanity, to spare the life of that monarch. Crom-

well had two daughters unmarried; one of them he now gave in marriage to the grandson and heir of his great friend, the Earl of Warwick, with whom he had, in every fortune, preserved an uninterrupted intimacy and good correspondence. The other he married to the Viscount Fauconberg, of a family formerly devoted to the royal party. He was ambitious of forming connections with the nobility; and it was one chief motive for his desiring the title of king that he might replace everything in its natural order, and restore to the ancient families the trust and honor of which he now found himself obliged, for his own safety, to deprive them.

[1658.] The Parliament was again assembled, consisting, as in the times of monarchy, of two Houses, the Commons and the other House. Cromwell, during the interval, had sent writs to his House of Peers, which consisted of sixty members. They were composed of five or six ancient peers, of several gentlemen of fortune and distinction, and of some officers who had risen from the meanest stations. None of the ancient peers, however, though summoned by writ, would deign to accept of a seat, which they must share with such companions as were assigned to them. The protector endeavored, at first, to maintain the appearance of a legal magistrate. He placed no guard at the door of either House, but soon found how incompatible liberty is with military usurpations. By bringing so great a number of his friends and adherents into the other House, he had lost the majority among the national representatives. In consequence of a clause in the humble petition and advice, the Commons assumed a power of readmitting those members whom the council had formerly excluded. Sir Arthur Hazelrig and some others, whom Cromwell had created lords, rather chose to take their seats with the Commons. An incontestable majority now declared themselves against the protector; and they refused to acknowledge the jurisdiction of that other House which he had established. Even the validity of the humble petition and advice was questioned, as being voted by a Parliament which lay under force, and which was deprived, by military violence, of a considerable number of its members. The protector, dreading combinations between the Parliament and the malcontents in the army, resolved to allow no leisure for forming any conspiracy against him, and with expressions of great displeasure, he dissolved the Parliament. When urged by

Fleetwood and others of his friends not to precipitate himself into this rash measure, he swore by the living God that they should not sit a moment longer.

These distractions at home were not able to take off the protector's attention from foreign affairs, and in all his measures he proceeded with the same vigor and enterprise as if secure of the duty and attachment of the three kingdoms. His alliance with Sweden he still supported, and he endeavored to assist that crown in its successful enterprises for reducing all its neighbors to subjection, and rendering itself absolute master of the Baltic. As soon as Spain declared war against him, he concluded a peace and an alliance with France, and united himself in all his counsels with that potent and ambitious kingdom. Spain, having long courted in vain the friendship of the successful usurper, was reduced at last to apply to the unfortunate prince. Charles formed a league with Philip, removed his small court to Bruges, in the Low Countries, and raised four regiments of his own subjects, whom he employed in the Spanish service. The Duke of York, who had, with applause, served some campaigns in the French army, and who had merited the particular esteem of Marshal Turenne, now joined his brother, and continued to seek military experience under Don John of Austria and the Prince of Condé.

The scheme of foreign politics adopted by the protector was highly imprudent, but was suitable to that magnanimity and enterprise with which he was so signally endowed. He was particularly desirous of conquest and dominion on the Continent;<sup>45</sup> and he sent over into Flanders six thousand men under Reynolds, who joined the French army commanded by Turenne. In the former campaign, Mardyke was taken, and put into the hands of the English. Early this campaign, siege was laid to Dunkirk; and when the Spanish army advanced to relieve it, the combined armies of France and England marched out of their trenches, and fought the battle of the Dunes, where the Spaniards were totally defeated.<sup>46</sup> The valor of the English was much re-

<sup>45</sup> He aspired to get possession of Elsinore and the passage of the Sound. See *Worship's Mistake* in Oliver Cromwell. He also endeavored to get possession of Bremen. Thurloe, vol. vi. p. 478.

<sup>46</sup> It was remarked by the saints of that time that the battle was fought on a day which was held for a fast in London, so that, as Fleetwood said (Thurloe, vol. vii. p. 159), "While we were praying, they were fighting, and the Lord hath given a signal answer. The Lord has not only owned us in our work there, but in our waiting upon him in a way of prayer, which is indeed our old, experienced, approved way in all straits and difficulties." Cromwell's Letter to Blake and Montague, his brave admirals, is remarkable for the same spirit. Thurloe, vol. iv. p.



marked on this occasion. Dunkirk, being soon after surrendered, was by agreement delivered to Cromwell. He committed the government of that important place to Lockhart, a Scotchman of abilities, who had married his niece, and was his ambassador at the court of France.

This acquisition was regarded by the protector as the means only of obtaining further advantages. He was resolved to concert measures with the French court for the final conquest and partition of the Low Countries.<sup>47</sup> Had he lived much longer, and maintained his authority in England, so chimerical, or rather so dangerous, a project would certainly have been carried into execution. And this first and principal step towards more extensive conquest, which France, during a whole century, has never yet been able, by an infinite expense of blood and treasure, fully to attain, had at once been accomplished by the enterprising though unskilful politics of Cromwell.

During these transactions, great demonstrations of mutual friendship and regard passed between the French king and the protector. Lord Fauconberg, Cromwell's son-in-law, was despatched to Louis, then in the camp before Dunkirk, and was received with the regard usually paid to foreign princes by the French court.<sup>48</sup> Mazarine sent to London his nephew, Mancini, along with the Duke of Crequi; and expressed his regret that his urgent affairs should deprive him of the honor, which he had long wished for, of paying, in person, his respects to the greatest man in the world.<sup>49</sup>

The protector reaped little satisfaction from the success of his arms abroad; the situation in which he stood at home kept him in perpetual uneasiness and inquietude. His administration, so expensive both by military enterprises and secret intelligence, had exhausted his revenue and involved him in a considerable debt. The royalists, he heard, had

744. "You have," says he, "as I verily believe and am persuaded, a plentiful stock of prayers going for you daily, sent up by the soberest and most approved ministers and Christians in this nation, and, notwithstanding some discouragements, very much wrestling of faith for you, which are to us, and I trust will be to you, matter of great encouragement. But, notwithstanding all this, it will be good for you and us to deliver up ourselves and all our affairs to the disposition of our all-wise Father, who, not only out of prerogative, but because of his goodness, wisdom, and truth, ought to be resigned unto by his creatures, especially those who are children of his begetting through the Spirit," etc.

<sup>47</sup> Thurloe, vol. i. p. 762.

<sup>48</sup> Thurloe, vol. vii. pp. 151, 153.

<sup>49</sup> In reality the cardinal had not entertained so high an idea of Cromwell. He used to say that he was a fortunate madman. *Vie de Cromwell par Raguenet*. See also *Carte's Collection*, vol. ii. p. 81. *Gumble's Life of Monk*, p. 93. *World's Mistake in Oliver Cromwell*.

renewed their conspiracies for a general insurrection; and Ormond was secretly come over with a view of concerting measures for the execution of this project. Lord Fairfax, Sir William Waller, and many heads of the Presbyterians had secretly entered into the engagement. Even the army was infected with the general spirit of discontent; and some sudden and dangerous eruption was every moment to be dreaded from it. No hopes remained, after his violent breach with the last Parliament, that he should ever be able to establish, with general consent, a legal settlement, or temper the military with any mixture of civil authority. All his arts and policy were exhausted; and having so often, by fraud and false pretences, deceived every party, and almost every individual, he could no longer hope, by repeating the same professions, to meet with equal confidence and regard.

However zealous the royalists, their conspiracy took not effect: Willis discovered the whole to the protector. Ormond was obliged to fly, and he deemed himself fortunate to have escaped so vigilant an administration. Great numbers were thrown into prison. A high court of justice was anew erected for the trial of those criminals whose guilt was most apparent. Notwithstanding the recognition of his authority by the last Parliament, the protector could not as yet trust to an unbiassed jury. Sir Henry Slingsby and Dr. Huet were condemned and beheaded. Mordaunt, brother to the Earl of Peterborough, narrowly escaped. The numbers for his condemnation and his acquittal were equal; and just as the sentence was pronounced in his favor, Colonel Pride, who was resolved to condemn him came, into court. Ashton, Storey, and Bestley were hanged in different streets of the city.

The conspiracy of the Millenarians in the army struck Cromwell with still greater apprehensions. Harrison and the other discarded officers of that party could not remain at rest. Stimulated equally by revenge, by ambition, and by conscience, they still harbored in their breast some desperate project; and there wanted not officers in the army who, from like motives, were disposed to second all their undertakings. The Levellers and agitators had been encouraged by Cromwell to interpose with their advice in all political deliberations; and he had even pretended to honor many of them with his intimate friendship, while he conducted his daring enterprises against the king and the Parliament. It was a usual practice with him, in order to

familiarize himself the more with the agitators, who were commonly corporals or sergeants, to take them to bed with him, and there, after prayers and exhortations, to discuss together their projects and principles, political as well as religious. Having assumed the dignity of protector, he excluded them from all his councils, and had neither leisure nor inclination to indulge them any further in their wonted familiarities. Among those who were enraged at this treatment was Sexby, an active agitator, who now employed against him all that restless industry which had formerly been exerted in his favor. He even went so far as to enter into correspondence with Spain; and Cromwell, who knew the distempers of the army, was justly afraid of some mutiny, to which a day, an hour, an instant, might provide leaders.

Of assassination likewise he was apprehensive, from the zealous spirits which actuated the soldiers. Sindercome had undertaken to murder him; and by the most unaccountable accidents, had often been prevented from executing his bloody purpose. His design was discovered; but the protector could never find the bottom of the enterprise, nor detect any of his accomplices. He was tried by a jury; and, notwithstanding the general odium attending that crime, notwithstanding the clear and full proof of his guilt, so little conviction prevailed of the protector's right to the supreme government, it was with the utmost difficulty<sup>50</sup> that this conspirator was condemned. When everything was prepared for his execution, he was found dead, from poison, as is supposed, which he had voluntarily taken.

The protector might better have supported those fears and apprehensions which the public distempers occasioned, had he enjoyed any domestic satisfaction, or possessed any cordial friend of his own family in whose bosom he could safely have unloaded his anxious and corroding cares. But Fleetwood, his son-in-law, actuated by the wildest zeal, began to estrange himself from him; and was enraged to discover that Cromwell, in all his enterprises, had entertained views of promoting his own grandeur more than of encouraging piety and religion, of which he made such fervent professions. His eldest daughter, married to Fleetwood, had adopted republican principles so vehement that she could not with patience behold power lodged in a single person, even in her indulgent father. His other daughters were no

<sup>50</sup> Thurloe, vol. vi. p. 53.

less prejudiced in favor of the royal cause, and regretted the violences and iniquities into which they thought their family had so unhappily been transported. Above all, the sickness of Mrs. Claypole, his peculiar favorite, a lady endued with many humane virtues and amiable accomplishments, depressed his anxious mind and poisoned all his enjoyments. She had entertained a high regard for Dr. Huet, lately executed; and being refused his pardon, the melancholy of her temper, increased by her distempered body, had prompted her to lament to her father all his sanguinary measures, and urge him to compunction for those heinous crimes into which his fatal ambition had betrayed him. Her death, which followed soon after, gave new edge to every word which she had uttered.

All composure of mind was now forever fled from the protector. He felt that the grandeur which he had attained with so much guilt and courage could not insure him that tranquillity which it belongs to virtue alone, and moderation, fully to ascertain. Overwhelmed with the load of public affairs, dreading perpetually some fatal accident in his distempered government, seeing nothing around him but treacherous friends or enraged enemies, possessing the confidence of no party, resting his title on no principle, civil or religious, he found his power to depend on so delicate a poise of factions and interests as the smallest event was able, without any preparation, in a moment to overturn. Death too, which with such signal intrepidity he had braved in the field, being incessantly threatened by the poniards of fanatical or interested assassins, was ever present to his terrified apprehension, and haunted him in every scene of business or repose. Each action of his life betrayed the terrors under which he labored. The aspect of strangers was uneasy to him; with a piercing and anxious eye he surveyed every face to which he was not daily accustomed. He never moved a step without strong guards attending him; he wore armor under his clothes, and further secured himself by offensive weapons—a sword, falchion, and pistols, which he always carried about him. He returned from no place by the direct road, or by the same way which he went. Every journey he performed with hurry and precipitation. Seldom he slept above three nights together in the same chamber, and he never let it be known beforehand what chamber he intended to choose, nor intrusted himself in any which was not provided with back doors, at which sentinels were care-



fully placed. Society terrified him, while he reflected on his numerous, unknown, and implacable enemies; solitude astonished him by withdrawing that protection which he found so necessary for his security.

His body also, from the contagion of his anxious mind, began to be affected; and his health seemed sensibly to decline. He was seized with a slow fever, which changed into a tertian ague. For the space of a week no dangerous symptoms appeared; and in the intervals of the fits he was able to walk abroad. At length the fever increased, and he himself began to entertain some thoughts of death, and to cast his eye towards that future existence whose idea had once been intimately present to him; though since, in the hurry of affairs, and in the shock of wars and factions, it had no doubt been considerably obliterated. He asked Goodwin, one of his preachers, if the doctrine were true that the elect could never fall or suffer a final reprobation. "Nothing more certain," replied the preacher. "Then I am safe," said the protector, "for I am sure that once I was in a state of grace."

His physicians were sensible of the perilous condition to which his distemper had reduced him; but his chaplains, by their prayers, visions, and revelations, so buoyed up his hopes that he began to believe his life out of all danger. A favorable answer, it was pretended, had been returned by Heaven to the petitions of all the godly, and he relied on their asseverations much more than on the opinion of the most experienced physicians. "I tell you," he cried, with confidence, to the latter—"I tell you, I shall not die of this distemper; I am well assured of my recovery. It is promised by the Lord, not only to my supplications, but to those of men who hold a stricter commerce and more intimate correspondence with him. Ye may have skill in your profession; but nature can do more than all the physicians in the world, and God is far above nature."<sup>51</sup> Nay, to such a degree of madness did their enthusiastic assurances amount that upon a fast-day, which was observed on his account both at Hampton Court and at Whitehall, they did not so much pray for his health as give thanks for the undoubted pledges which they had received of his recovery. He himself was overheard offering up his addresses to Heaven; and so far had the illusions of fanaticism prevailed over the plainest dictates of natural morality that he assumed more

<sup>51</sup> Bates; see also Thurloe, vol. vii. pp. 355, 416.

the character of a mediator interceding for his people than that of a criminal, whose atrocious violation of social duty had from every tribunal, human and divine, merited the severest vengeance.

Meanwhile all the symptoms began to wear a more fatal aspect, and the physicians were obliged to break silence, and to declare that the protector could not survive the next fit with which he was threatened. The council was alarmed. A deputation was sent to know his will with regard to his successor. His senses were gone, and he could not now express his intentions. They asked him whether he did not mean that his eldest son, Richard, should succeed him in the protectorship. A simple affirmative was, or seemed to be, extorted from him. Soon after, on the 3d of September, that very day which he had always considered as the most fortunate for him, he expired. A violent tempest, which immediately succeeded his death, served as a subject of discourse to the vulgar. His partisans as well as his enemies were fond of remarking this event, and each of them endeavored, by forced references, to interpret it as a confirmation of their particular prejudices.

The writers attached to the memory of this wonderful person make his character, with regard to abilities, bear the air of the most extravagant panegyric; his enemies form such a representation of his moral qualities as resembles the most virulent invective. Both of them, it must be confessed, are supported by such striking circumstances in his conduct and fortune as bestow on their representation a great air of probability. "What can be more extraordinary," it is said,<sup>52</sup> "than that a person of private birth and education, no fortune, no eminent qualities of body, which have sometimes, nor shining talents of mind, which have often, raised men to the highest dignities, should have the courage to attempt, and the abilities to execute, so great a design as the subverting one of the most ancient and best-established monarchies in the world? That he should have the power and boldness to put his prince and master to an open and infamous death? Should banish that numerous and strongly allied family? Cover all these temerities under a seeming obedience to a Parliament in whose service he pretended to be retained? Trample, too, upon that Parliament in their turn, and scornfully expel them as soon as they gave him ground of dissatisfaction? Erect in their place the dominion of the saints, and give

<sup>52</sup> Cowley's Discourses: this passage is altered in some particulars from the original.

reality to the most visionary idea which the heated imagination of any fanatic was ever able to entertain? Suppress again that monster in its infancy, and openly set up himself above all things that ever were called sovereign in England? Overcome first all his enemies by arms, and all his friends afterwards by artifice? Serve all parties patiently for a while, and command them victoriously at last? Overrun each corner of the three nations, and subdue, with equal facility, both the riches of the south and the poverty of the north? Be feared and courted by all foreign princes, and be adopted a brother to the gods of the earth? Call together parliaments with a word of his pen, and scatter them again with the breath of his mouth? Reduce to subjection a warlike and discontented nation by means of a mutinous army? Command a mutinous army by means of seditious and factious officers? Be humbly and daily petitioned that he would be pleased, at the rate of millions a year, to be hired as master of those who had hired him before to be their servant? Have the estates and lives of three nations as much at his disposal as was once the little inheritance of his father, and be as noble and liberal in the spending of them? And, lastly (for there is no end of enumerating every particular of his glory), with one word bequeath all his power and splendor to his posterity? Die possessed of peace at home and triumph abroad? Be buried among kings, and with more than regal solemnity; and leave a name behind him not to be extinguished but with the whole world, which, as it was too little for his praise, so might it have been for his conquests, if the short line of his mortal life could have stretched out to the extent of his immortal designs?"

My intention is not to disfigure this picture drawn by so masterly a hand; I shall only endeavor to remove from it somewhat of the marvellous—a circumstance which on all occasions gives much ground for doubt and suspicion. It seems to me that the circumstance of Cromwell's life in which his abilities are principally discovered is his rising from a private station, in opposition to so many rivals, so much advanced before him, to a high command and authority in the army. His great courage, his signal military talents, his eminent dexterity and address, were all requisite for this important acquisition. Yet will not this promotion appear the effect of supernatural abilities, when we consider that Fairfax himself, a private gentleman, who had not the advantage of a seat in Parliament, had, through the same steps, attained even a superior rank, and, if endued with

common capacity and penetration, had been able to retain it. To incite such an army to rebellion against the Parliament required no uncommon art or industry; to have kept them in obedience had been the more difficult enterprise. When the breach was once formed between the military and civil powers, a supreme and absolute authority, from that moment, is devolved on the general; and if he be afterwards pleased to employ artifice or policy, it may be regarded on most occasions as great condescension, if not as superfluous caution. That Cromwell was ever able really to blind or overreach either the king or the republicans does not appear. As they possessed no means of resisting the force under his command, they were glad to temporize with him, and, by seeming to be deceived, wait for opportunities of freeing themselves from his dominion. If he seduced the military fanatics, it is to be considered that their interests and his evidently concurred, that their ignorance and low education exposed them to the grossest imposition, and that he himself was at bottom as frantic an enthusiast as the worst of them; and, in order to obtain their confidence, needed but to display those vulgar and ridiculous habits which he had early acquired, and on which he set so high a value. An army is so forcible and at the same time so coarse a weapon that any hand which wields it may, without much dexterity, perform any operation, and attain any ascendant in human society.

The domestic administration of Cromwell, though it discovers great abilities, was conducted without any plan either of liberty or arbitrary power; perhaps his difficult situation admitted of neither. His foreign enterprises, though full of intrepidity, were pernicious to national interest, and seem more the result of impetuous fury or narrow prejudices than of cool foresight and deliberation. An eminent personage, however, he was in many respects, and even a superior genius, but unequal and irregular in his operations. And though not defective in any talent, except that of elocution, the abilities which in him were most admirable, and which most contributed to his marvellous success, were the magnanimous resolution of his enterprises, and his peculiar dexterity in discovering the characters and practising on the weakness of mankind.

If we survey the moral character of Cromwell with that indulgence which is due to the blindness and infirmities of the human species, we shall not be inclined to load his memory with such violent reproaches as those which his enemies



usually throw upon it. Amid the passions and prejudices of that period, that he should prefer the parliamentary to the royal cause will not appear extraordinary, since even at present some men of sense and knowledge are disposed to think that the question with regard to the justice of the quarrel may be regarded as doubtful and uncertain. The murder of the king, the most atrocious of all his actions, was to him covered under a mighty cloud of republican and fanatical illusions; and it is not impossible but he might believe it, as many others did, the most meritorious action that he could perform. His subsequent usurpation was the effect of necessity as well as of ambition, nor is it easy to see how the various factions could at that time have been restrained without a mixture of military and arbitrary authority. The private deportment of Cromwell as a son, a husband, a father, a friend, is exposed to no considerable censure, if it does not rather merit praise. And, upon the whole, his character does not appear more extraordinary and unusual by the mixture of so much absurdity with so much penetration than by his tempering such violent ambition and such enraged fanaticism with so much regard to justice and humanity.

Cromwell was in the fifty-ninth year of his age when he died. He was of a robust frame of body, and of a manly, though not of an agreeable aspect. He left only two sons (Richard and Henry) and three daughters (one married to General Fleetwood, another to Lord Fauconberg, a third to Lord Rich). His father died when he was very young. His mother lived till after he was protector, and, contrary to her orders, he buried her with great pomp in Westminster Abbey. She could not be persuaded that his power or person was ever in safety. At every noise which she heard, she exclaimed that her son was murdered, and was never satisfied that he was alive if she did not receive frequent visits from him. She was a decent woman, and by her frugality and industry had raised and educated a numerous family upon a small fortune. She even had been obliged to set up a brewery at Huntingdon, which she managed to good advantage. Hence Cromwell, in the invectives of that age, is often stigmatized with the name of the brewer. Ludlow, by way of insult, mentions the great accession which he would receive to his royal revenues upon his mother's death, who possessed a jointure of sixty pounds a year upon his estate. She was of a good family, of the name of Stuart, remotely allied, as is by some supposed, to the royal family.

## NOTES.

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### NOTE [A], p. 24.

Parliamentary History, vol. v. p. 290. So little fixed at this time were the rules of Parliament that the Commons complained to the Peers of a speech made in the upper House by the Bishop of Lincoln, which it belonged only to that House to censure, and which the other could not regularly be supposed to be acquainted with. These, at least, are the rules established since the Parliament became a real seat of power and scene of business. Neither the king must take notice of what passes in either House, nor either House of what passes in the other, till regularly informed of it. The Commons, in their famous protestation, 1621, fixed this rule with regard to the king, though at present they would not bind themselves by it. But as liberty was yet new those maxims which guard and regulate it were unknown and unpractised.

### NOTE [B], p. 42.

Some of the facts in this narrative, which seem to condemn Raleigh, are taken from the king's Declaration, which, being published by authority, when the facts were recent, being extracted from examinations before the privy council, and subscribed by six privy-councillors, among whom was Abbot, Archbishop of Canterbury, a prelate nowise complaisant to the court, must be allowed to have great weight, or rather to be of undoubted credit. Yet the most material facts are confirmed either by the nature and reason of the thing, or by Sir Walter's own apology and his letters. The king's Declaration is in the Harleian Miscellany, vol. iii. No. 2.

1. There seems to be an improbability that the Spaniards, who knew nothing of Raleigh's pretended mine, should have built a town, in so wide a coast, within three miles of it. The chances are extremely against such a supposition; and it is more natural to think that the view of plundering the town led him thither than that of working a mine. 2. No such mine is there found to this day. 3. Raleigh, in fact, found no mine; and, in fact, he plundered and burned a Spanish town. Is it not more probable, therefore, that the latter was his intention? How can the secrets of his breast be rendered so visible as to counterpoise certain facts? 4. He confesses, in a letter to Lord Carew, that though he knew it, yet he concealed from the king the settlement of the Spaniards on that coast. Does not this fact alone render him sufficiently criminal? 5. His commission empowers him only to settle on a coast possessed by savage and barbarous inhabitants. Was it not the most evident breach of orders to disembark on a coast possessed by Spaniards? 6. His orders to Keymis, when he sent him up the river, are contained in his own apology, and from them it appears that he knew (what was unavoidable) that the Spaniards would resist, and would oppose the English landing and taking possession of the country. His intentions, therefore, were hostile from the beginning. 7. Without provocation, and even when at a distance, he gave Keymis orders to dislodge the Spaniards from their own town. Could any enterprise be more hostile? And, considering the Spaniards as allies to the nation, could any enterprise be more criminal? Was he not the aggressor, even though it should be true that the Spaniards fired upon his men at landing? It is said he killed three or four hundred of them. Is that so light a matter? 8. In his letter to the king, and in his apology, he grounds his defence on former hostilities exercised by the Spaniards against other companies of Englishmen. These

are accounted for by the ambiguity of the treaty between the nations. And it is plain that though these might possibly be reasons for the king's declaring war against that nation, they could never entitle Raleigh to declare war, and without any commission, or contrary to his commission, to invade the Spanish settlements. He pretends, indeed, that peace was never made with Spain in the Indies; a most absurd notion! The chief hurt which the Spaniards could receive from England was in the Indies; and they never would have made peace at all if hostilities had been still to be continued on these settlements. By secret agreement, the English were still allowed to support the Dutch, even after the treaty of peace. If they had also been allowed to invade the Spanish settlements, the treaty had been a full peace to England, while the Spaniards were still exposed to the full effects of war. 9. If the claim to the property of that country, as first discoverers, was good, in opposition to prevent settlement, as Raleigh pretends, why was it not laid before the king, with all its circumstances, and submitted to his judgment? 10. Raleigh's force is acknowledged by himself to have been insufficient to support him in the possession of St. Thomas against the power of which Spain was master on that coast; yet it was sufficient, as he owns, to take by surprise and plunder twenty towns. It was not, therefore, his design to settle, but to plunder. By these confessions, which I have here brought together, he plainly betrays himself. 11. Why did he not stay and work his mine, as at first he projected? He apprehended that the Spaniards would be upon him with a greater force. But before he left England, he knew that this must be the case if he invaded any part of the Spanish colonies. His intention, therefore, never was to settle, but only to plunder. 12. He acknowledges that he knew neither the depth nor riches of the mine, but only that there was some ore there. Would he have ventured all his fortune and credit on so precarious a foundation? 13. Would the other adventurers, if made acquainted with this, have risked everything to attend him? Ought a fleet to have been equipped for an experiment? Was there not plainly an imposture in the management of this affair? 14. He says to Keymis, in his orders, "Bring but a basketful of ore, and it will satisfy the king that my project was not imaginary." This was easily done from the Spanish mines; and he seems to have been chiefly displeased at Keymis for not attempting it. Such a view was a premeditated apology to cover his cheat. 15. The king, in his Declaration, imputes it to Raleigh that as soon as he was at sea he immediately fell into such uncertain and doubtful talk of his mine, and said that it would be sufficient if he brought home a basketful of ore. From the circumstance last mentioned, it appears that this imputation was not without reason. 16. There are many other circumstances of great weight in the king's Declaration: that Raleigh, when he fell down to Plymouth, took no pioneers with him, which he always declared to be his intention; that he was nowise provided with instruments for working a mine, but had a sufficient stock of warlike stores; that young Raleigh, in attacking the Spaniards, employed the words which, in the narration, I have put in his mouth; that the mine was movable, and shifted as he saw convenient; not to mention many other public facts, which prove him to have been highly criminal against his companions as well as his country. Howel, in his Letters, says that there lived in London, in 1645, an officer, a man of honor, who asserted that he heard young Raleigh speak these words (vol. ii. letter 63). That was a time when there was no interest in maintaining such a fact. 17. Raleigh's account of his first voyage to Guiana proves him to have been a man capable of the most extravagant credulity or most impudent imposture; so ridiculous are the stories which he tells of the inca's chimerical empire in the midst of Guiana; the rich city of El Dorado, or Manao, two days' journey in length, and shining with gold and silver; the old Peruvian prophecies in favor of the English, who, he says, were expressly named as the deliverers of that country long before any European had ever touched there; the Amazons, or republic of women; and, in general, the vast and incredible riches which he saw on that continent, where nobody has yet found any treasures! This whole narrative is a proof that he was extremely defective either in solid understanding or morals, or both. No man's character, indeed, seems ever to have been carried to such extremes as Raleigh's by the opposite passions of envy and pity. In the former part of his life, when he was active and lived in the world, and was probably best known, he was the object of universal hatred and detestation throughout England; in the latter part, when shut up in prison, he became, much more unreasonably, the object of great love and admiration.

As to the circumstances of the narrative, that Raleigh's pardon was refused him, that his former sentence was purposely kept in force against him, and that he went out under these express conditions, they may be supported by the following authorities: 1. The king's word and that of six privy-councillors, who affirm it for fact. 2. The nature of the thing. If no suspicion had been entertained of his intentions, a pardon would never have been refused to a man to whom

authority was intrusted. 3. The words of the commission itself, where he is simply styled Sir Walter Raleigh, and not *faithful and well-beloved*, according to the usual and never-failing style on such occasions. 4. In all the letters which he wrote home to Sir Ralph Winwood, and to his own wife, he always considers himself as a person unpardoned and liable to the law. He seems, indeed, immediately upon the failure of his enterprise, to have become desperate, and to have expected the fate which he met with.

It is pretended that the king gave intelligence to the Spaniards of Raleigh's project, as if he had needed to lay a plot for destroying a man whose life had been fourteen years, and still was, in his power. The Spaniards wanted no other intelligence to be on their guard than the known and public fact of Raleigh's armament; and there was no reason why the king should conceal from them the project of a settlement which Raleigh pretended, and the king believed, to be entirely innocent.

The king's chief blame seems to have lain in his negligence in allowing Raleigh to depart without a more exact scrutiny; but for this he apologizes by saying that sureties were required for the good behavior of Raleigh and all his associates in the enterprise, but that they gave in bonds for each other—a cheat which was not perceived till they had sailed, and which increased the suspicion of bad intentions.

Perhaps the king ought also to have granted Raleigh a pardon for his old treason, and to have tried him anew for his new offences. His punishment in that case would not only have been just, but conducted in a just and unexceptionable manner. But we are told that a ridiculous opinion at that time prevailed in the nation (and it is plainly supposed by Sir Walter in his apology) that, by treaty, war was allowed with the Spaniards in the Indies, though peace was made in Europe; and, while that notion took place, no jury would have found Raleigh guilty. So that had not the king punished him upon the old sentence, the Spaniards would have had a just cause of complaint against the king, sufficient to have produced a war, at least to have destroyed all cordiality between the nations.

This explication I thought necessary, in order to clear up the story of Raleigh, which, though very obvious, is generally mistaken in so gross a manner that I scarcely know its parallel in the English history.

#### NOTE [C], p. 48.

This Parliament is remarkable for being the epoch in which were first regularly formed, though without acquiring these denominations, the parties of court and country—parties which have ever since continued, and which, while they oft threaten the total dissolution of the government, are the real cause of its permanent life and vigor. In the ancient feudal constitution, of which the English partook with other European nations, there was a mixture not of authority and liberty, which we have since enjoyed in this island, and which now subsist uniformly together, but of authority and anarchy, which perpetually shocked with each other, and which took place alternately, according as circumstances were more or less favorable to either of them. A Parliament composed of barbarians, summoned from their fields and forests, uninstructed by study, conversation, or travel; ignorant of their own laws and history, and unacquainted with the situation of all foreign nations; a Parliament called precariously by the king, and dissolved at his pleasure; sitting a few days, debating a few points prepared for them, and whose members were impatient to return to their own castles, where alone they were great, and to the chase, which was their favorite amusement—such a Parliament was very little fitted to enter into a discussion of all the questions of government, and to share, in a regular manner, the legal administration. The name, the authority of the king alone appeared in the common course of government; in extraordinary emergencies he assumed, with still better reason, the sole direction. The imperfect and unformed laws left, in everything, a latitude of interpretation; and when the ends pursued by the monarch were, in general, agreeable to his subjects, little scruple or jealousy was entertained with regard to the regularity of the means. During the reign of an able, fortunate, or popular prince, no member of either House, much less of the Lower, durst think of entering into a formed party in opposition to the court; since the dissolution of the Parliament must, in a few days, leave him unprotected to the vengeance of his sovereign, and to those stretches of prerogative which were then so easily made in order to punish an obnoxious subject. During an unpopular and weak reign, the current commonly ran so strong against the monarch that none durst enlist themselves in the court party; or, if the prince was able to engage any considerable barons on his side, the question was decided with arms in the field, not by debates or arguments in a senate or assembly. And, upon the whole, the



chief circumstance which, during ancient times, retained the prince in any legal form of administration, was that the sword, by the nature of the feudal tenures, remained still in the hands of his subjects; and this irregular and dangerous check had much more influence than the regular and methodical limits of the laws and constitution. As the nation could not be compelled, it was necessary that every public measure of consequence, particularly that of levying new taxes, should seem to be adopted by common consent and approbation.

The princes of the house of Tudor, partly by the vigor of their administration, partly by the concurrence of favorable circumstances, had been able to establish a more regular system of government; but they drew the constitution so near to despotism as diminished extremely the authority of the Parliament. The senate became, in a great degree, the organ of royal will and pleasure; opposition would have been regarded as a species of rebellion; and even religion, the most dangerous article in which innovations could be introduced, had admitted, in the course of a few years, four several alterations, from the authority alone of the sovereign. The Parliament was not then the road to honor and preferment; the talents of popular intrigue and eloquence were uncultivated and unknown; and though that assembly still preserved authority, and retained the privilege of making laws and bestowing public money, the members acquired not, upon that account, either with prince or people, much more weight and consideration. What powers were necessary for conducting the machine of government, the king was accustomed, of himself, to assume. His own revenues supplied him with money sufficient for his ordinary expenses; and when extraordinary emergencies occurred, the prince needed not to solicit votes in Parliament, either for making laws or imposing taxes, both of which were now become requisite for public interest and preservation.

The security of individuals, so necessary to the liberty of popular councils, was totally unknown in that age. And as no despotic princes, scarcely even the Eastern tyrants, rule entirely without the concurrence of some assemblies, which supply both advice and authority, little but a mercenary force seems then to have been wanting towards the establishment of a simple monarchy in England. The militia, though more favorable to regal authority than the feudal institutions, was much inferior, in this respect, to disciplined armies; and if it did not preserve liberty to the people, it preserved at least the power, if ever the inclination should arise, of recovering it.

But so low, at that time, ran the inclination towards liberty that Elizabeth, the last of that arbitrary line, herself no less arbitrary, was yet the most renowned and most popular of all the sovereigns that had filled the throne of England. It was natural for James to take the government as he found it, and to pursue her measures, which he heard so much applauded; nor did his penetration extend so far as to discover that neither his circumstances nor his character could support so extensive an authority. His narrow revenues and little frugality began now to render him dependent on his people, even in the ordinary course of administration; their increasing knowledge discovered to them that advantage which they had obtained, and made them sensible of the inestimable value of civil liberty; and as he possessed too little dignity to command respect, and too much good nature to impress fear, a new spirit discovered itself every day in the Parliament; and a party, watchful of a free constitution, was regularly formed in the House of Commons.

But, notwithstanding these advantages acquired to liberty, so extensive was royal authority, and so firmly established in all its parts, that it is probable the patriots of that age would have despaired of ever resisting it had they not been stimulated by religious motives, which inspire a courage unsurmountable by any human obstacle.

The same alliance which has ever prevailed between kingly power and ecclesiastical authority was now fully established in England; and while the prince assisted the clergy in suppressing schismatics and innovators, the clergy, in return, inculcated the doctrine of an unreserved submission and obedience to the civil magistrate. The genius of the Church of England, so kindly to monarchy, forwarded the confederacy; its submission to episcopal jurisdiction; its attachment to ceremonies, to order, and to a decent pomp and splendor of worship; and in a word, its affinity to the same superstition of the Catholics rather than to the wild fanaticism of the Puritans.

On the other hand, opposition to the Church, and the persecutions under which they labored, were sufficient to throw the Puritans into the country party, and to beget political principles little favorable to the high pretensions of the sovereign. The spirit, too, of enthusiasm, bold, daring, and uncontrolled, strongly disposed their minds to adopt republican tenets, and inclined them to arrogate, in their actions and conduct, the same liberty, which they assumed in their rapacious flights and ecstasies. Ever since the first origin of that sect, through the

whole reign of Elizabeth as well as of James, *puritanical* principles had been understood in a double sense, and expressed the opinions favorable both to political and to ecclesiastical liberty; and as the court, in order to discredit all parliamentary opposition, affixed the denomination of Puritans to its antagonists, the religious Puritans willingly adopted this idea, which was so advantageous to them, and which confounded their cause with that of the patriots, or country party. Thus were the civil and ecclesiastical factions regularly formed; and the humor of the nation during that age running strongly towards fanatical extravagances, the spirit of civil liberty gradually revived from its lethargy, and by means of its religious associate, from which it reaped more advantage than honor, it secretly enlarged its dominion over the greater part of the kingdom.

[This note was in the first editions a part of the text; but the author omitted it, in order to avoid, as much as possible, the style of dissertation in the body of his History. The passage, however, contains views so important that he thought it might be admitted as a note.]

## NOTE [D], p. 55.

This protestation is so remarkable that it may not be improper to give it in its own words: "The Commons now assembled in Parliament, being justly occasioned thereunto, concerning sundry liberties, franchises, and privileges of Parliament, among others here mentioned, do make this protestation following: That the liberties, franchises, and jurisdictions of Parliament are the ancient and undoubted birthright and inheritance of the subjects of England; and that the urgent and arduous affairs concerning the king, state, and defence of the realm, and of the Church of England, and the maintenance and making of laws, and redress of mischiefs and grievances which daily happen within this realm, are proper subjects and matter of council and debate in Parliament; and that in the handling and proceeding of those businesses, every member of the House of Parliament hath, and of right ought to have, freedom of speech to propound, treat, reason, and bring to conclusion the same: and that the Commons in Parliament have like liberty and freedom to treat of these matters, in such order as in their judgment shall seem fittest; and that every member of the said House hath like freedom from all impeachment, imprisonment, and molestation (other than by censure of the House itself), for or concerning any speaking, reasoning, or declaring of any matter or matters touching the Parliament or Parliament business; and that if any of the said members be complained of, or questioned for anything done or said in Parliament, the same is to be shown to the king by the advice and assent of all the Commons assembled in Parliament, before the king gave credence to any private information."—Franklyn, p. 65. Rushworth, vol. i. p. 53. Kennet, p. 74. Coke, p. 77.

## NOTE [E], p. 74.

The moment the prince embarked at St. Andero's, he said to those about him that it was folly in the Spaniards to use him so ill and allow him to depart—a proof that the duke had made him believe they were insincere in the affair of the marriage and the Palatinate: for as to his reception in other respects, it had been altogether unexceptionable. Besides, had not the prince believed the Spaniards to be insincere, he had no reason to quarrel with them, though Buckingham had. It appears, therefore, that Charles himself must have been deceived. The multiplied delays of the dispensation, though they rose from accident, afforded Buckingham a plausible pretext for charging the Spaniards with insincerity.

## NOTE [F], p. 76.

Among other particulars, he mentions a sum of eighty thousand pounds borrowed from the King of Denmark. In a former speech to the Parliament, he told them that he had expended five hundred thousand pounds in the cause of the Palatine, besides the voluntary contribution given him by the people. See Franklyn, p. 50. But, what is more extraordinary, the treasurer, in order to show his own good services, boasts to the Parliament that, by his contrivance, sixty thousand pounds had been saved in the article of exchange in the sums remitted to the Palatine. This seems a great sum, nor is it easy to conceive whence the king could procure such vast sums as would require a sum so considerable to be paid in exchange. From the whole, however, it appears that the king had been far from neglecting the interests of his daughter and son-in-law, and had even gone far beyond what his narrow revenue could afford.

## NOTE [G], p. 76.

How little this principle had prevailed during any former period of the English government, particularly during the last reign, which was certainly not so perfect a model of liberty as most writers would represent it, will easily appear from many passages in the history of that reign. But the ideas of men were much changed during about twenty years of a gentle and peaceful administration. The Commons, though James, of himself, had recalled all patents of monopolies, were not contented without a law against them, and a declaratory law too—which was gaining a great point, and establishing principles very favorable to liberty—but they were extremely grateful when Elizabeth, upon petition (after having once refused their requests), recalled a few of the most oppressive patents, and employed some soothing expressions towards them.

The Parliament had surely reason, when they confessed, in the seventh of James, that he allowed them more freedom of debate than even was indulged by any of his predecessors. His indulgence in this particular, joined to his easy temper, was probably one cause of the great power assumed by the Commons. Monsieur de la Boderie, in his Despatches, vol. i. p. 449, mentions the liberty of speech in the House of Commons as a new practice.

## NOTE [H], p. 81.

Rymer, vol. xviii. p. 224. It is certain that the young Prince of Wales, afterwards Charles II., had Protestant governors from his early infancy; first the Earl of Newcastle, then the Marquis of Hertford. The king, in his memorial to foreign churches, after the commencement of the civil wars, insists on his care in educating his children in the Protestant religion, as a proof that he was nowise inclined to the Catholic.—Rushworth, vol. v. p. 752. It can scarcely, therefore, be questioned but this article, which had so odd an appearance, was inserted only to amuse the pope, and was never intended by either party to be executed.

## NOTE [I], p. 89.

“Monarchies,” according to Sir Walter Raleigh, “are of two sorts, touching their power or authority: viz., 1. Entire, where the whole power of ordering all state matters, both in peace and war, doth by law and custom appertain to the prince, as in the English kingdom; where the prince hath the power to make laws, league, and war; to create magistrates; to pardon life; of appeal, etc. Though, to give a contentment to the other degrees, they have a suffrage in making laws, yet ever subject to the prince’s pleasure and negative will. 2. Limited or restrained, that hath no full power in all the points and matters of state, as the military king, that hath not the sovereignty in time of peace, as the making of laws, etc., but in war only, as the Polonian king.”—Maxims of State.

And a little after: “In every just state, some part of the government is, or ought to be, imparted to the people; as, in a kingdom, a voice and suffrage in making laws; and sometimes also of levying of arms (if the charge be great, and the prince forced to borrow help of his subjects), the matter rightly may be propounded to a Parliament, that the tax may seem to have proceeded from themselves. So consultations and some proceedings in judicial matters may, in part, be referred to them. The reason, lest, seeing themselves to be in no number, nor of reckoning, they mislike the state or government.” This way of reasoning differs little from that of King James, who considered the privileges of the Parliament as matters of grace and indulgence more than of inheritance. It is remarkable that Raleigh was thought to lean towards the puritanical party notwithstanding these positions. But ideas of government change much in different times.

Raleigh’s sentiments on this head are still more openly expressed in his *Prerogatives of Parliaments*, a work not published till after his death. It is a dialogue between a courtier or councillor and a country justice of peace, who represents the party, and defends the highest notions of liberty which the principles of that age would bear. Here is a passage of it: “*Councillor*. That which is done by the king with the advice of his private or privy council is done by the king’s absolute power. *Justice*. And by whose power is it done in Parliament but by the king’s absolute power? Mistake it not, my lord: the three estates do but advise, as the privy council doth; which advice, if the king embrace, it becomes the king’s own act in the one, and the king’s law in the other,” etc.

The Earl of Clare, in a private letter to his son-in-law, Sir Thomas Wentworth, afterwards Earl of Strafford, thus expresses himself: “We live under a prerogative government, where book law submits to *lex loquens*.” He spoke from his own and all his ancestors’ experience. There was no single instance of power which a King of England might not, at that time, exert on pretence of necessity



or expediency ; the continuance alone or frequent repetition of arbitrary administration might prove dangerous for want of force to support it. It is remarkable that this letter of the Earl of Clare was written in the first year of Charles's reign, and consequently must be meant of the general genius of the government, not the spirit or temper of the monarch. See *Strafford's Letters*, vol. i. p. 32. From another letter in the same collection (vol. i. p. 10) it appears that the council sometimes assumed the power of forbidding persons disagreeable to the court to stand in the elections. This authority they could exert in some instances ; but we are not thence to infer that they could shut the door of that House to every one who was not acceptable to them. The genius of the ancient government reposed more trust in the king than to entertain any such suspicion ; and it allowed scattered instances of such a kind as would have been totally destructive of the constitution had they been continued without interruption.

I have not met with any English writer in that age who speaks of England as a limited monarchy, but as an absolute one, where the people have many privileges. That is no contradiction. In all European monarchies the people have privileges ; but whether dependent or independent on the will of the monarch, is a question that, in most governments, it is better to forbear. Surely that question was not determined before the age of James. The rising spirit of the Parliament, together with the king's love of general speculative principles, brought it from its obscurity, and made it be commonly canvassed. The strongest testimony that I remember from a writer of James's age in favor of English liberty is in Cardinal Bentivoglio, a foreigner, who mentions the English government as similar to that of the Low Country Provinces under their princes, rather than to that of France or Spain. Englishmen were not so sensible that their prince was limited, because they were sensible that no individual had any security against a stretch of prerogative ; but foreigners, by comparison, could perceive that these stretches were at that time, from custom or other causes, less frequent in England than in other monarchies. Philip de Comines, too, remarked the English constitution to be more popular in his time than that of France. But in a paper written by a patriot in 1627, it is remarked that the freedom of speech in Parliament had been lost in England since the days of Comines. See Franklyn, p. 238. Here is a stanza of Malherbe's Ode to Mary de Medicis, the queen-regent written in 1614 ;

" Entre les rois à qui cet âge  
Doit son principal ornement,  
Ceux de la Tamise et du Tage  
Font louer leur gouvernement :  
Mais en de si calmes provinces,  
Où le peuple adore les princes,  
Et met au gré le plus haut  
L'honneur du sceptre légitime,  
Sçauroit-on excuser le crime  
De ne regner pas comme il faut ? "

The English as well as the Spaniards are here pointed out as much more obedient subjects than the French, and much more tractable and submissive to their princes. Though this passage be taken from a poet, every man of judgment will allow its authority to be decisive. The character of a national government cannot be unknown in Europe, though it changes sometimes very suddenly. Machiavel, in his *Dissertations on Livy*, says repeatedly that France was the most legal and most popular monarchy then in Europe.

#### NOTE [K], p. 89.

Passive obedience is expressly and zealously inculcated in the Homilies, composed and published by authority, in the reign of Queen Elizabeth. The convocation which met in the very first year of the king's reign voted as high monarchical principles as are contained in the decrees of the University of Oxford during the rule of the Tories. These principles, so far from being deemed a novelty introduced by James's influence, passed so smoothly that no historian has taken notice of them ; they were never the subject of controversy or dispute or discourse ; and it is only by means of Bishop Overall's Convocation book, printed near seventy years after, that we are acquainted with them. Would James, who was so cautious, and even timid, have ventured to begin his reign with a bold stroke, which would have given just ground of jealousy to his subjects ? It appears from that monarch's Basilicon Doron, written while he was in Scotland, that the republican ideas of the origin of power from the people were at that time esteemed puritanical novelties. The patriarchal scheme, it is remarkable, is inculcated in those votes of the convocation preserved by Overall ; nor was Filmer the first inventor of those absurd notions.



## NOTE [L], p. 104.

That of the honest historian Stowe seems not to have been of this number. "The great blessings of God," says he, "through increase of wealth in the common subjects of this land, especially upon the citizens of London; such within men's memory, and chiefly within these few years of peace, that, except there were now due mention of some sort made thereof, it would in time to come be held incredible," etc. In another place, "Among the manifold tokens and signs of the infinite blessings of Almighty God bestowed upon this kingdom, by the wondrous and merciful establishment of peace within ourselves, and the full benefit of concord with all Christian nations and others; of all which graces let no man dare to presume he can speak too much; whereof in truth there can never be enough said, neither was there ever any people less considerate and less thankful than at this time, being not willing to endure the memory of their present happiness; as well as in the universal increase of commerce and traffic throughout the kingdom, great building of royal ships and by private merchants, the re-peopling of cities, towns and villages, besides the discernible and sudden increase of fair and costly buildings, as well within the city of London as the suburbs thereof, especially within these twelve years," etc.

## NOTE [M], p. 131.

By a speech of Sir Simon D'Ewes, in the first year of the Long Parliament, it clearly appears that the nation never had, even to that time, been rightly informed concerning the transactions of the Spanish negotiation, and still believed the court of Madrid to have been altogether insincere in their professions. What reason, upon that supposition, had they to blame either the prince or Buckingham for their conduct, or for the narrative delivered to the Parliament. This is a capital fact, and ought to be well attended to. D'Ewes's speech is in Nalson, vol. ii. p. 368. No author or historian of that age mentions the discovery of Buckingham's impostures as a cause of disgust in the Parliament. Whitlocke, p. 1, only says that the Commons began to suspect that it had been spleen in Buckingham, not zeal for public good, which had induced him to break the Spanish match—a clear proof that his falsehood was not suspected. Wilson, p. 780, says that Buckingham lost his popularity after Bristol arrived, not because that nobleman discovered to the world the falsehood of his narrative, but because he proved that Buckingham, while in Spain, had professed himself a papist; which is false, and which was never said by Bristol. In all the debates which remain, not the least hint is ever given that any falsehood was suspected in the narrative. I shall further add that even if the Parliament had discovered the deceit in Buckingham's narrative, this ought not to have altered their political measures, or made them refuse supply to the king. They had supposed it practicable to wrest the Palatinate by arms from the house of Austria; they had represented it as prudent to expend the blood and treasure of the nation in such an enterprise; they had believed that the King of Spain never had any sincere intention of restoring that principality. It is certain that he had not now any such intention; and though there was reason to suspect that this alteration in his views had proceeded from the ill conduct of Buckingham, yet past errors could not be retrieved; and the nation was undoubtedly in the same situation which the Parliament had ever supposed, when they so much harassed their sovereign by their impatient, importunate, and even undutiful solicitations. To which we may add that Charles himself was certainly deceived by Buckingham when he corroborated his favorite's narrative by his testimony. Party historians are somewhat inconsistent in their representations of these transactions: they represent the Spaniards as totally insincere, that they may reproach James with credulity in being so long deceived by them; they represent them as sincere, that they may reproach the king, the prince, and the duke with falsehood in their narrative to the Parliament. The truth is, they were insincere at first; but the reasons, proceeding from bigotry, were not suspected by James, and were at last overcome. They became sincere; but the prince, deceived by the many unavoidable causes of delay, believed that they were still deceiving him.

## NOTE [N], p. 158.

This petition is of so great importance that we shall here give it at length: "Humbly show unto our sovereign Lord the King, the Lords spiritual and temporal, and Commons, in Parliament assembled, that whereas it is declared and enacted by a statute made in the time of the reign of King Edward I., commonly called *Statutum de tallagio non concedendo*, that no tallage or aid shall be levied by the king or his heirs in this realm, without the good-will and assent of the

archbishops, bishops, earls, barons, knights, burgesses, and other the freemen of the commonalty of this realm; and, by authority of Parliament holden in the five-and-twentieth year of the reign of King Edward III., it is declared and enacted that, from thenceforth, no person shall be compelled to make any loans to the king against his will, because such loans were against reason and the franchise of the land; and, by other laws of this realm it is provided that none should be charged by any charge or imposition called a benevolence, or by such-like charge; by which the statutes before mentioned, and other the good laws and statutes of this realm, your subjects have inherited this freedom, that they should not be compelled to contribute to any tax, tallage, aid, or other like charge not set by common consent in Parliament.

"II. Yet, nevertheless, of late divers commissions directed to sundry commissioners in several counties, with instructions, have issued; by means whereof your people have been in divers places assembled, and required to lend certain sums of money unto your majesty; and many of them, upon their refusal so to do, have had an oath administered unto them not warrantable by the laws or statutes of this realm, and have been constrained to become bound to make appearance and give attendance before your privy council, and in other places, and others of them have been therefore imprisoned, confined, and sundry other ways molested and disquieted; and divers other charges have been laid and levied upon your people in several counties, by lord-lieutenants, deputy-lieutenants, commissioners for musters, justices of peace, and others, by command or direction from your majesty, or your privy council, against the laws and free customs of this realm.

"III. And whereas, also, by the statute called *The Great Charter of the Liberties of England*, it is declared and enacted that no freeman may be taken or imprisoned, or be disseized of his freehold or liberties, or his free customs, or be outlawed or exiled, or in any manner destroyed, but by the lawful judgment of his peers, or by the law of the land.

"IV. And in the eighth-and-twentieth year of the reign of King Edward III. it was declared and enacted, by authority of Parliament, that no man, of what estate or condition that he be, should be put out of his land or tenements, nor taken, nor imprisoned, nor disinherited, nor put to death, without being brought to answer by due process of law.

"V. Nevertheless, against the tenor of the said statutes and other the good laws and statutes of your realm to that end provided, divers of your subjects have of late been imprisoned without any cause shown; and when, for their deliverance, they were brought before justice by your majesty's writs of *habeas corpus*, there to undergo and receive as the court should order, and their keepers commanded to certify the causes of their detainer, no cause was certified but that they were detained by your majesty's special command, signified by the lords of your privy council, and yet were returned back to several prisons, without being charged with anything to which they might make answer according to the law.

"VI. And whereas of late great companies of soldiers and mariners have been dispersed unto divers counties of the realm; and the inhabitants, against their wills, have been compelled to receive them into their houses, and there to suffer them to sojourn, against the laws and customs of this realm, and to the great grievance and vexation of the people.

"VII. And whereas, also, by authority of Parliament, in the five-and-twentieth year of the reign of King Edward III., it is declared and enacted that no man shall be forejudged of life or limb against the form of the *Great Charter* and law of the land; and, by the said *Great Charter*, and other the laws and statutes of this your realm, no man ought to be judged to death but by the laws established in this your realm, either by the customs of the same realm or by acts of Parliament; and whereas no offender, of what kind soever, is exempted from the proceedings to be used and punishments to be inflicted by the laws and statutes of this your realm; nevertheless, of late, divers commissions, under your majesty's great seal, have issued forth, by which certain persons have been assigned and appointed commissioners, with power and authority to proceed within the land, according to the justice of martial law, against such soldiers and mariners, or other dissolute persons joining with them, as should commit any murder, robbery, felony, mutiny, or other outrage or misdemeanor whatsoever, and by such summary course and order as is agreeable to martial law, and as is used in armies in time of war, to proceed to the trial and condemnation of such offenders, and them to cause to be executed and put to death according to the law martial.

"VIII. By pretext whereof some of your majesty's subjects have been, by some of the said commissioners, put to death, when and where, if by the laws and statutes of the land they had deserved death, by the same laws and statutes also they might, and by no other ought to, have been judged and executed.

"IX. And also sundry grievous offenders, by color thereof claiming an exemp-

tion, have escaped the punishments due to them by the laws and statutes of this your realm, by reason that divers of your officers and ministers of justice have unjustly refused or forborne to proceed against such offenders according to the same laws and statutes, upon pretence that the said offenders were punishable only by martial law and by authority of such commissions as aforesaid, which commissions, and all other of like nature, are wholly and directly contrary to the said laws and statutes of this your realm.

"X. They do therefore humbly pray your most excellent majesty that no man hereafter be compelled to make or yield any gift, loan, benevolence, tax, or such-like charge, without common consent, by act of Parliament; and that none be called to make answer, or take such oath, or to give attendance, or be confined, or otherwise molested or disquieted, concerning the same, or for refusal thereof; and that no freeman, in any such matter as is before mentioned, be imprisoned or detained; and that your majesty would be pleased to remove the said soldiers and mariners, and that people may not be so burdened in time to come; and that the aforesaid commissions for proceeding by martial law may be revoked and annulled; and that hereafter no commissions of like nature may issue forth, to any person or persons whatsoever, to be executed as aforesaid, lest by color of them any of your majesty's subjects be destroyed or put to death contrary to the laws and franchise of the land.

"XI. All which they most humbly pray of your most excellent majesty, as their rights and liberties according to the laws and statutes of this realm; and that your majesty would also vouchsafe to declare that the awards, doings, and proceedings to the prejudice of your people, in any of the premises, shall not be drawn hereafter into consequence or example. And that your majesty would be also graciously pleased, for the further comfort and safety of your people, to declare your royal will and pleasure that in the things aforesaid all your officers and ministers shall serve you according to the laws and statutes of this realm, as they tender the honor of your majesty and the prosperity of this kingdom."—*Stat. 17 Car. cap. 14.*

NOTE [O], p. 168.

The reason assigned by Sir Philip Warwick, p. 2, for this unusual measure of the Commons is, that they intended to deprive the crown of the prerogative, which it had assumed, of varying the rates of the impositions, and at the same time were resolved to cut off the new rates fixed by James. These were considerable diminutions both of revenue and prerogative; and whether they would have there stopped, considering their present disposition, may be much doubted. The king, it seems, and the Lords, were resolved not to trust them; nor to render a revenue once precarious which perhaps they might never afterwards be able to get re-established on the old footing.

NOTE [P], p. 195.

Here is a passage of Sir John Davis's Question concerning Impositions, p. 131: "This power of laying on arbitrarily new impositions being a prerogative in point of government as well as in point of profit, it cannot be restrained or bound by act of Parliament; it cannot be limited by any certain or fixed rule of law, no more than the course of a pilot upon the sea, who must turn the helm, or bear higher or lower sail, according to the wind or weather; and therefore it may be properly said that the king's prerogative, in this point, is as strong as Samson; it cannot be bound: for though an act of Parliament be made to restrain it, and the king doth give his consent unto it, as Samson was bound with his own consent, yet if the Philistines come, that is, if any just or important occasion do arise, it cannot hold or restrain the prerogative; it will be as thread, and broken as easy as the bonds of Samson. The king's prerogatives are the sunbeams of the crown, and as inseparable from it as the sunbeams from the sun. The king's crown must be taken from him, Samson's hair must be cut off, before his courage can be any jot abated. Hence it is that neither the king's act, nor any act of Parliament, can give away his prerogative."

NOTE [Q], p. 236.

We shall here make use of the liberty, allowed in a note, to expatiate a little on the present subject. It must be confessed that the king, in this declaration, touched upon that circumstance in the English constitution which it is most difficult, or rather altogether impossible, to regulate by laws, and which must be governed by certain delicate ideas of propriety and decency rather than by any exact rule or prescription. To deny the Parliament all right of remonstrating against



what they esteem grievances were to reduce that assembly to a total insignificance, and to deprive the people of every advantage which they could reap from popular councils. To complain of the Parliament's employing the power of taxation as the means of extorting concessions from their sovereign were to expect that they would entirely disarm themselves, and renounce the sole expedient provided by the constitution for insuring to the kingdom a just and legal administration. In different periods of English story there occur instances of their remonstrating with their princes in the freest manner, and sometimes of their refusing supply, when disgusted with any circumstance of public conduct. It is, however, certain that this power, though essential to parliaments, may easily be abused, as well by the frequency and minuteness of their remonstrances, as by their intrusion into every part of the king's counsels and determinations. Under color of advice, they may give disguised orders; and in complaining of grievances they may draw to themselves every power of government. Whatever measure is embraced without consulting them may be pronounced an oppression of the people; and till corrected, they may refuse the most necessary supplies to their indigent sovereign. From the very nature of this parliamentary liberty, it is evident that it must be left unbounded by law; for who can foretell how frequently grievances may occur, or what part of administration may be affected by them? From the nature, too, of the human frame, it may be expected that this liberty would be exerted in its full extent, and no branch of authority be allowed to remain unmolested in the hands of the prince. For, will the weak limitations of respect and decorum be sufficient to restrain human ambition, which so frequently breaks through all the prescriptions of law and justice?

But here it is observable that the wisdom of the English constitution, or rather the concurrence of accidents, has provided, in different periods, certain irregular checks to this privilege of Parliament, and thereby maintained in some tolerable measure the dignity and authority of the crown.

In the ancient constitution, before the beginning of the seventh century, the meetings of Parliament were precarious, and were not frequent. The sessions were short; and the members had no leisure, either to get acquainted with each other or with public business. The ignorance of the age made men more submissive to that authority which governed them. And, above all, the large demesnes of the crown, with the small expense of government during that period, rendered the prince almost independent, and taught the Parliament to preserve great submission and duty towards him.

In our present constitution, many accidents, which have rendered governments everywhere, as well as in Great Britain, much more burdensome than formerly, have thrown into the hands of the crown the disposal of a large revenue, and have enabled the king, by the private interest and ambition of the members, to restrain the public interest and ambition of the body. While the opposition (for we must still have an opposition, open or disguised) endeavors to draw every branch of administration under the cognizance of Parliament, the courtiers reserve a part to the disposal of the crown; and the royal prerogative, though deprived of its ancient power, still maintains a due weight in the balance of the constitution.

It was the fate of the house of Stuart to govern England at a period when the former source of authority was already much diminished, and before the latter began to flow in any tolerable abundance. Without a regular and fixed foundation, the throne perpetually tottered; and the prince sat upon it anxiously and precariously. Every expedient used by James and Charles, in order to support their dignity, we have seen attended with sensible inconveniences. The majesty of the crown, derived from ancient powers and prerogatives, procured respect, and checked the approaches of insolent intruders; but it begat in the king so high an idea of his own rank and station as made him incapable of stooping to popular courses, or submitting in any degree to the control of Parliament. The alliance with the hierarchy strengthened law by the sanction of religion; but it enraged the puritanical party and exposed the prince to the attacks of enemies, numerous, violent, and implacable. The memory, too, of these two kings, from like causes, has been attended, in some degree, with the same infelicity which pursued them during the whole course of their lives. Though it must be confessed that their skill in government was not proportioned to the extreme delicacy of their situation, a sufficient indulgence has not been given them, and all the blame, by several historians, has been unjustly thrown on *their side*. Their violations of law, particularly those of Charles, are, in some few instances, transgressions of a plain limit which was marked out to royal authority. But the encroachments of the Commons, though in the beginning less positive and determinate, are no less discernible by good judges, and were equally capable of destroying the just balance of the constitution. While they exercised the powers transmitted to them in a manner more independent and less compliant than had



ever before been practised, the kings were, perhaps imprudently, but, as they imagined, from necessity, tempted to assume powers which had scarcely ever been exercised, or had been exercised in a different manner, by the crown. And from the shock of these opposite pretensions, together with religious controversy, arose all the factions, convulsions, and disorders which attended that period.

[This note was, in the first editions, a part of the text.]

NOTE [R], p. 280.

MR. CARTE, in his *Life of the Duke of Ormond*, has given us some evidence to prove that this letter was entirely a forgery of the popular leaders, in order to induce the king to sacrifice Strafford. He tells us that Strafford said so to his son the night before his execution. But there are some reasons why I adhere to the common way of telling the story. 1. The account of the forgery comes through several hands, and from men of characters not fully known to the public—a circumstance which weakens every evidence—it is a hearsay of a hearsay. 2. It seems impossible but young Lord Strafford must inform the king, who would not have failed to trace the forgery, and expose his enemies to their merited infamy. 3. It is not to be conceived but Clarendon and Whitlocke, not to mention others, must have heard of the matter. 4. Sir George Ratcliffe, in his *Life of Strafford*, tells the story the same way that Clarendon and Whitlocke do. Would he also, who was Strafford's intimate friend, never have heard of the forgery? It is remarkable that this *Life* is dedicated or addressed to young Strafford. Would not he have put Sir George right in so material and interesting a fact?

NOTE [S], p. 281.

What made this bill appear of less consequence was, that the Parliament voted tonnage and poundage for no longer a period than two months; and as that branch was more than half of the revenue, and the government could not possibly subsist without it, it seemed indirectly in the power of the Parliament to continue themselves as long as they pleased. This, indeed, was true in the ordinary administration of government; but on the approaches towards a civil war, which was not then foreseen, it had been of great consequence to the king to have reserved the right of dissolution, and to have endured any extremity rather than allow the continuance of the Parliament.

NOTE [T], p. 304.

It is now so universally allowed, notwithstanding some muttering to the contrary, that the king had no hand in the Irish rebellion that it will be superfluous to insist on a point which seems so clear. I shall only suggest a very few arguments, among an infinite number which occur. 1. Ought the affirmation of perfidious, infamous rebels ever to have passed for any authority? 2. Nobody can tell us what the words of the pretended commission were. That commission which we find in Rushworth, vol. v. p. 400, and in Milton's Works, Toland's edition, is plainly an imposture; because it pretends to be dated in October, 1641, yet mentions facts which happened not till some months after. It appears that the Irish rebels, observing some inconsistency in their first forgery, were obliged to forge this commission anew, yet could not render it coherent or probable. 3. Nothing could be more obviously pernicious to the king's cause than the Irish rebellion; because it increased his necessities and rendered him still more dependent on the Parliament, who had before sufficiently shown on what terms they would assist him. 4. The instant the king heard of the rebellion, which was a very few days after its commencement, he wrote to the Parliament, and gave over to them the management of the war. Had he built any projects on that rebellion, would he not have waited some little time to see how they would succeed? would he presently have adopted a measure which was evidently so hurtful to his authority? 5. What can be imagined to be the king's projects? To raise the Irish to arms, I suppose, and bring them over to England for his assistance. But it is not plain that the king never intended to raise war in England? Had that been his intention, would he have rendered the Parliament perpetual? Does it not appear, by the whole train of events, that the Parliament forced him into the war? 6. The king conveyed to the justices intelligence which ought to have prevented the rebellion. 7. The Irish Catholics, in all their future transactions with the king, where they endeavored to excuse their insurrection, never had the assurance to plead his commission. Even among themselves they dropped that pretext. It appears that Sir Phelim O'Neale, chiefly, and he only at first, promoted that imposture. See Carte's *Ormond*, vol. iii. No. 100, 111, 112, 114, 115, 121, 132, 137. 8. O'Neale himself confessed the imposture on his trial

and at his execution. See Nalson, vol. ii. p. 528. Maguire, at his execution, made a like confession. 9. It is ridiculous to mention the justification which Charles II. gave to the Marquis of Antrim, as if he had acted by his father's commission. Antrim had no hand in the first rebellion and the massacre; he joined not the rebels till two years after; it was with the king's consent, and he did important service in sending over a body of men to Montrose.

## NOTE [U], p. 334.

The great courage and conduct displayed by many of the popular leaders have commonly inclined men to do them in one respect more honor than they deserve, and to suppose that, like able politicians, they employed pretences which they secretly despised, in order to serve their selfish purposes. It is, however, probable, if not certain, that they were, generally speaking, the dupes of their own zeal. Hypocrisy, quite pure and free from fanaticism, is, perhaps, except among men fixed in a determined philosophical scepticism, then unknown, as rare as fanaticism entirely purged from all mixture of hypocrisy. So congenial to the human mind are religious sentiments that it is impossible to counterfeit long these holy fervors without feeling some share of the assumed warmth; and, on the other hand, so precarious and temporary, from the frailty of human nature, is the operation of these spiritual views that the religious ecstasies, if constantly employed, must often be counterfeit, and must be warped by those more familiar motives of interest and ambition which insensibly gain upon the mind. This, indeed, seems the key to most of the celebrated characters of that age. Equally full of fraud and of ardor, these pious patriots talked perpetually of seeking the Lord, yet still pursued their own purposes; and have left a memorable lesson to posterity, how delusive, how destructive, that principle is by which they were animated.

With regard to the people we can entertain no doubt that the controversy was, on their part, entirely theological. The generality of the nation could never have flown out into such fury in order to obtain new privileges and acquire greater liberty than they and their ancestors had ever been acquainted with. Their fathers had been entirely satisfied with the government of Elizabeth; why should they have been thrown into such extreme rage against Charles, who, from the beginning of his reign, wished only to maintain such a government? And why not, at least, compound matters with him when, by all his laws, it appeared that he had agreed to depart from it, especially as he had put it entirely out of his power to retract that resolution? It is in vain, therefore, to dignify this civil war and the parliamentary authors of it by supposing it to have any other considerable foundation than theological zeal, that great and noted source of animosity among men. The royalists also were very commonly zealots; but as they were, at the same time, maintaining the established constitution, in State as well as Church, they had an object which was natural, and which might produce the greatest passion, even without any considerable mixture of theological fervor.

[The former part of this note was, in the first editions, a part of the text.]

## NOTE [X], p. 335.

In some of these declarations, supposed to be penned by Lord Falkland, is found the first regular definition of the constitution, according to our present ideas of it, that occurs in any English composition; at least any published by authority. The three species of government—monarchical, aristocratical, and democratical—are there plainly distinguished, and the English government is expressly said to be none of them pure, but all of them mixed and tempered together. This style, though the sense of it was implied in many institutions, no former King of England would have used, and no subject would have been permitted to use. Banks, and the crown lawyers against Hambden, in the case of ship-money, insists plainly and openly on the king's absolute and sovereign power. And the opposite lawyers do not deny it; they only assert that the subjects have also a fundamental property in their goods, and that no part of them can be taken but by their own consent in Parliament. But that the Parliament was instituted to check and control the king, and share the supreme power, would, in all former times, have been esteemed very blunt and indiscreet, if not illegal language. We need not be surprised that governments should long continue, though the boundaries of authority, in their several branches, be implicit, confused and undetermined. This is the case all over the world. Who can draw an exact line between the spiritual and temporal powers in Catholic states? What code ascertained the precise authority of the Roman senate in every occurrence? Perhaps the English is the first mixed government where the authority

of every part has been very accurately defined; and yet there still remain many very important questions between the two Houses that, by common consent, are buried in a discreet silence. The king's power is, indeed, more exactly limited; but this period, of which we now treat, is the time at which that accuracy commenced. And it appears, from Warwick and Hobbes, that many royalists blamed this philosophical precision in the king's penman, and thought that the veil was very imprudently drawn off the mysteries of government. It is certain that liberty reaped mighty advantages from these controversies and inquiries; and the royal authority itself became more secure within those provinces which were assigned to it.

[Since the first publication of this history the sequel of Lord Clarendon has been published, where that nobleman asserts that he himself was the author of most of these remonstrances and memorials of the king.]

NOTE [Y], p. 353.

Whitlocke, who was one of the commissioners, says, p. 65, "In this treaty the king manifested his great parts and abilities, strength of reason, and quickness of apprehension, with much patience in hearing what was objected against him; wherein he allowed all freedom, and would himself sum up the arguments and give a most clear judgment upon them. His unhappiness was that he had a better opinion of others' judgments than of his own, though they were weaker than his own; and of this the Parliament commissioners had experience, to their great trouble. They were often waiting on the king, and debating some points of the treaty with him until midnight, before they could come to a conclusion. Upon one of the most material points they pressed his majesty with their reasons and best arguments they could use to grant what they desired. The king said he was fully satisfied, and promised to give them his answer in writing, according to their desire; but because it was then past midnight, and too late to put it into writing, he would have it drawn up next morning (when he commanded them to wait on him again), and then he would give them his answer in writing as it was now agreed upon. But next morning the king told them that he had altered his mind; and some of his friends of whom the commissioners inquired told them that, after they were gone, and even his council retired, some of his bedchamber never left pressing and persuading him till they prevailed on him to change his former resolutions." It is difficult, however, to conceive that any negotiation could have succeeded between the king and Parliament while the latter insisted, as they did all along, on a total submission to all their demands; and challenged the whole power, which they professedly intended to employ to the punishment of the king's friends.

NOTE [Z], p. 360.

The author is sensible that some blame may be thrown upon him on account of this last clause in Mr. Hambden's character, as if he were willing to entertain a suspicion of bad intentions where the actions were praiseworthy.—But the author's meaning is directly contrary: he esteems the last actions of Mr. Hambden's life to have been very blamable; though, as they were derived from good motives, only pushed to an extreme, there is room left to believe that the intentions of that patriot, as well as of many of his party, were laudable. Had the preceding administration of the king, which we are apt to call arbitrary, proceeded from ambition and an unjust desire of encroaching on the ancient liberties of the people, there would have been less reason for giving him any trust, or leaving in his hands a considerable share of that power which he had so much abused. But if his conduct was derived in a great measure from necessity, and from a natural desire of defending that prerogative which was transmitted to him from his ancestors, and which his parliaments were visibly encroaching on, there is no reason why he may not be esteemed a very virtuous prince, and entirely worthy of trust from his people. The attempt, therefore, of totally annihilating monarchical power was a very blamable extreme; especially as it was attended with the danger, to say the least, of a civil war, which, besides the numberless ills inseparable from it, exposed liberty to much greater perils than it could have incurred under the now limited authority of the king. But as these points could not be supposed so clear during the time as they are or may be at present, there are great reasons of alleviation for men who were heated by the controversy or engaged in the action. And it is remarkable that even at present (such is the force of party prejudices) there are few people who have coolness enough to see these matters in a proper light, or are convinced that the Parliament could prudently have stopped in their pretensions. They still plead the violations of liberty attempted by the king after granting the Petition of



Right, without considering the extreme harsh treatment which he met with after making that great concession, and the impossibility of supporting government by the revenue then settled on the crown. The worst of it is that there was a great tang of enthusiasm in the conduct of the parliamentary leaders which, though it might render their conduct sincere, will not much enhance their character with posterity. And though Hamden was, perhaps, less infected with this spirit than many of his associates, he appears not to have been altogether free from it. His intended migration to America, where he could only propose the advantage of enjoying Puritanical prayers and sermons, will be allowed a proof of the prevalence of this spirit in him.

## NOTE [AA], p. 373.

In a letter of the king to the queen, preserved in the British Museum, and published by Mrs. Macaulay, vol. iv. p. 420, he says that unless religion was preserved, the militia (being not, as in France, a formed powerful strength) would be of little use to the crown; and that if the pulpits had not obedience, which would never be if Presbyterian government was absolutely established, the king would have but small comfort of the militia. This reasoning shows the king's good sense; and proves that his attachment to episcopacy, though partly founded on religious principles, was also, in his situation, derived from the soundest views of civil policy. In reality, it was easy for the king to perceive, by the necessary connection between trifles and important matters, and by the connection maintained at that time between religion and politics, that when he was contending for the surplice he was in effect fighting for his crown, and even for his head. Few of the popular party could perceive this connection; most of them were carried headlong by fanaticism, as might be expected in the ignorant multitude. Few even of the leaders seem to have had more enlarged views.

## NOTE [BB], p. 410.

That Laud's severity was not extreme appears from this fact, that he caused the acts or records of the high-commission court to be searched, and found that there had been fewer suspensions, deprivations, and other punishments by three during the seven years of his time than in any seven years of his predecessor, Abbot, who was, notwithstanding, in great esteem with the House of Commons.—*Troubles and Trials of Laud*, p. 164. But Abbot was little attached to the court, and was also a Puritan in doctrine, and bore a mortal hatred to the papists; not to mention that the mutinous spirit was rising higher in the time of Laud, and would less bear control. The maxims, however, of his administration were the same that had ever prevailed in England, and that had place in every other European nation, except Holland, which studied chiefly the interests of commerce, and France, which was fettered by edicts and treaties. To have changed them for the modern maxims of toleration, how reasonable soever, would have been deemed a very bold and dangerous enterprise. It is a principle advanced by President Montesquieu that where the magistrate is satisfied with the established religion, he ought to repress the first attempts towards innovation, and only grant a toleration to sects that are diffused and established. See *L'Esprit des Loix*, liv. xxv. ch. x. According to this principle Laud's indulgence to the Catholics and severity to the Puritans would admit of apology. I own, however, that it is very questionable whether persecution can in any case be justified; but, at the same time, it would be hard to give that appellation to Laud's conduct, who only enforced the act of uniformity, and expelled the clergyman that accepted of benefices and yet refused to observe the ceremonies which they previously knew to be enjoined by law. He never refused them separate places of worship; because they themselves would have esteemed it impious to demand them, and no less impious to allow them.

## NOTE [CC], p. 430.

Dr. Birch has written a treatise on this subject. It is not my business to oppose any facts contained in that gentleman's performance, I shall only produce arguments which prove that Glamorgan, when he received his private commission, had injunctions from the king to act altogether in concert with Ormond. 1. It seems to be implied in the very words of the commission. Glamorgan is empowered and authorized to treat and conclude with the confederate Roman Catholics in Ireland. "If upon necessity any (*articles*) be condescended unto, wherein the king's lieutenant cannot so well be seen in, as not fit for us at present publicly to own." Here no articles are mentioned which are not fit to be communicated to Ormond, but only not fit for him and the king publicly to be



seen in and to avow. 2. The king's protestation to Ormond ought, both on account of that prince's character and the reasons he assigns, to have the greatest weight. The words are these: "Ormond, I cannot but add to my long letter that, upon the word of a Christian, I never intended Glamorgan should treat anything without your approbation, much less without your knowledge. For, besides the injury to you, I was always diffident of his judgment (though I could not think him so extremely weak as now, to my cost, I have found), which you may easily perceive in a postscript of a letter of mine to you."—Carte, vol. ii. App. xxiii. It is impossible that any man of honor, however he might dissemble with his enemies, would assert a falsehood in so solemn a manner to his best friend, especially where that person must have had opportunities of knowing the truth. The letter, whose postscript is mentioned by the king, is to be found in Carte, vol. ii. App. xiii. 3. As the king had really so low an opinion of Glamorgan's understanding, it is very unlikely that he would trust him with the sole management of so important and delicate a treaty; and if he had intended that Glamorgan's negotiation should have been independent of Ormond, he would never have told the latter nobleman of it, nor have put him on his guard against Glamorgan's imprudence. That the king judged aright of this nobleman's character appears from his *Century of Arts or Scantling of Inventions*, which is a ridiculous compound of lies, chimeras, and impossibilities, and shows what might be expected from such a man. 4. Mr. Carte has published a whole series of the king's correspondence with Ormond, from the time that Glamorgan came into Ireland; and it is evident that Charles all along considers the lord-lieutenant as the person who was conducting the negotiations with the Irish. The 31st of July, 1645, after the battle of Naseby, being reduced to great straits, he writes earnestly to Ormond to conclude a peace upon certain conditions mentioned, much inferior to those granted by Glamorgan, and to come over himself with all the Irish he could engage in his service.—Carte, vol. iii. No. 490. This would have been a great absurdity if he had already fixed a different canal by which, on very different conditions, he purposed to establish a peace. On the 22d of October, as his distresses multiply, he somewhat enlarges the conditions, though they still fall short of Glamorgan's—a new absurdity! See Carte, vol. iii. p. 411. 5. But what is equivalent to a demonstration that Glamorgan was conscious that he had no power to conclude a treaty on these terms, or without consulting the lord-lieutenant, and did not even expect that the king would ratify the articles, is the defeasance which he gave to the Irish council at the time of signing the treaty. "The Earl of Glamorgan does no way intend hereby to oblige his majesty other than he himself shall please after he has received these ten thousand men as a pledge and testimony of the said Roman Catholics' loyalty and fidelity to his majesty; yet he promises faithfully, upon his word and honor, not to acquaint his majesty with this defeasance till he has endeavored, as far as in him lay, to induce his majesty to the granting of the particulars in the said articles; but, that done, the said commissioners discharge the said Earl of Glamorgan, both in honor and conscience, of any further engagement to them therein, though his majesty should not be pleased to grant the said particulars in the articles mentioned; the said earl having given them assurance, upon his word, honor, and voluntary oath, that he would never, to any person whatsoever, discover this defeasance in the interim without their consent."—Dr. Birch, p. 96. All Glamorgan's view was to get troops for the king's service without hurting his own honor or his master's. The wonder only is why the Irish accepted of a treaty which bound nobody, and which the very person who concludes it seems to confess he does not expect to be ratified. They probably hoped that the king would, from their services, be more easily induced to ratify a treaty which was concluded than to consent to its conclusion. 6. I might add that the lord-lieutenant's concurrence in the treaty was the more requisite because without it the treaty could not be carried into execution by Glamorgan, nor the Irish troops be transported into England; and even with Ormond's concurrence it clearly appears that a treaty so ruinous to the Protestant religion in Ireland could not be executed in opposition to the zealous Protestants of that kingdom. No one can doubt of this truth who peruses Ormond's correspondence in Mr. Carte. The king was sufficiently apprised of this difficulty. It appears, indeed, to be the only reason why Ormond objected to the granting of high terms to the Irish Catholics.

Dr. Birch, in p. 360, has published a letter of the king's to Glamorgan, where he says, "Howbeit I know you cannot be but confident of my making good all instructions and promises to you and the nuncio." But it is to be remarked that this letter is dated April 5, 1646; after there had been a new negotiation entered into between Glamorgan and the Irish, and after a provisional treaty had even been concluded between them. See Dr. Birch, p. 179. The king's assurances, therefore, can plainly relate only to this recent transaction. The old

treaty had long been disavowed by the king, and supposed by all parties to be annulled.

NOTE [DD], p. 458.

Salmonet, Ludlow, Hollis, etc., all these, especially the last, being the declared inveterate enemies of Cromwell, are the more to be credited when they advance any fact which may serve to apologize for his violent and criminal conduct, here prevails a story that Cromwell intercepted a letter written to the queen, where the king said that he would first raise and then destroy Cromwell. But besides that this conduct seems to contradict the character of the king, it is, on other accounts, totally unworthy of credit. It is first told by Roger Coke, a very passionate and foolish historian, who wrote, too, so late as King William's reign; and even he mentions it only as a mere rumor or hearsay, without any known foundation. In the *Memoirs of Lord Broghill* we meet with another story of an intercepted letter, which deserves some more attention and agrees very well with the narration here given. It is thus related by Mr. Maurice, chaplain to Roger, Earl of Orrery: "Lord Orrery, in the time of his greatness with Cromwell, just after he had so seasonably relieved him in his great distress at Clonmel, riding out of Youghall one day with him and Ireton, they fell into discourse about the king's death. Cromwell thereupon said more than once that if the king had followed his own judgment, and had been attended by none but trusty servants, he had fooled them all; and that once they had a mind to have closed with him, but, upon something that happened, fell off from that design. Orrery, finding them in good humor, and being alone with them, asked if he might presume to desire to know why they would once have closed with his majesty, and why they did not? Cromwell very freely told him he would satisfy him with both his queries. 'The reason,' says he, 'why we would have closed with the king was this: we found that the Scotch and Presbyterians began to be more powerful than we, and were likely to agree with him and leave us in the lurch. For this reason we thought it best to prevent them by offering first to come in upon reasonable conditions. But while our thoughts were taken up with this subject, there came a letter to us from one of our spies, who was of the king's bed-chamber, acquainting us that our final doom was decreed that very day; that he could not possibly learn what it was, but we might discover it if we could but intercept a letter sent from the king to the queen, wherein he informed her of his resolution; that this letter was sewn up in the skirt of a saddle, and the bearer of it would come with the saddle upon his head, about ten of the clock that night, to the Blue Boar in Holborn, where he was to take horse for Dover. The messenger knew nothing of the letter in the saddle, though some in Dover did. We were at Windsor,' said Cromwell, 'when we received this letter, and, immediately upon the receipt of it, Ireton and I resolved to take one trusty fellow with us and to go in troopers' habits to that inn. We did so; and, leaving our man at the gate of the inn (which had a wicket only open to let persons in and out) to watch and give us notice when any man came in with a saddle, we went into a drinking-stall. We there continued drinking cans of beer till about ten of the clock, when our sentinel at the gate gave us notice that the man with the saddle was come. We rose up presently, and just as the man was leading out his horse saddle we came up to him with drawn swords and told him we were to search all that went in and out there; but as he looked like an honest man we would only search his saddle, and so dismiss him. The saddle was ungirt, we carried it into the stall where we had been drinking, and, ripping open one of the skirts, we there found the letter we wanted. Having thus got it into our hands, we delivered the man (whom we had left with our sentinel) his saddle, told him he was an honest fellow, and bade him go about his business; which he did, pursuing his journey without more ado, and ignorant of the harm he had suffered. We found in the letter that his majesty acquainted the queen that he was courted by both factions—the Scotch Presbyterians and the army—and that those which bade the fairest for him should have him; but yet he thought he should close with the Scots sooner than with the other. Upon this we returned to Windsor; and, finding we were not likely to have good terms from the king, we from that time vowed his destruction.'" "This relation, suiting well enough with other passages and circumstances at this time, I have inserted to gratify the reader's curiosity."—*Carte's Ormond*, vol. ii. p. 12.

NOTE [EE], p. 460.

These are the words: "Lanerie, I wonder to hear (if that be true) that some of my friends say that my going to Jersey would have much more furthered my personal treaty than my coming hither, for which, as I see no color of reason, so

I had not been here if I had thought that fancy true, or had not been secured of a personal treaty, of which I neither do, nor I hope will, repent, for I am daily more and more satisfied with the governor, and find these islanders very good, peaceable, and quiet people. This encouragement I have thought not unfit for you to receive, hoping at least it may do good upon others, though needless to to you."—Burnet's *Memoirs of Hamilton*, p. 326. See also Rushworth, part iv. vol. ii. p. 941. All the writers of that age, except Clarendon, represent the king's going to the Isle of Wight as voluntary and intended. Perhaps the king thought it little for his credit to be trepanned into this measure, and was more willing to take it on himself as entirely voluntary. Perhaps he thought it would encourage his friends, if they thought him in a situation which was not disagreeable to him.

## NOTE [FF], p. 474.

The king composed a letter to the prince in which he related the whole course of this transaction, and accompanied his narrative with several wise as well as pathetic reflections and advices. The words with which he concluded the letter are remarkable: "By what hath been said, you see how long I have labored in the search of peace; do not you be disheartened to tread in the same steps. Use all worthy means to restore yourself to your rights; but prefer the way of peace. Show the greatness of your mind, rather to conquer your enemies by pardoning than by punishing. If you saw how unmanly and unchristian the implacable disposition is in our ill-wishers, you would avoid that spirit. Censure me not for having parted with so much of our right. The price was great; but the commodity was security to us, peace to my people. And I am confident that another Parliament would remember how useful a king's power is to a people's liberty; of how much power I divested myself, that I and they might meet once again in a parliamentary way, in order to agree the bounds of prince and people. Give belief to my experience, never to affect more greatness or prerogative than what is really and intrinsically for the good of the subjects, not the satisfaction of favorites. If you thus use it, you will never want means to be a father to all and a bountiful prince to any whom you incline to be extraordinarily gracious to. You may perceive that all men intrust their treasure where it returns them interest; and if a prince, like the sea, receive and repay all the fresh streams which the rivers intrust with him, they will not grudge, but pride themselves, to make him up an ocean. These considerations may make you as great a prince as your father is a low one; and your state may be so much the more established as mine hath been shaken. For our subjects have learned, I dare say, that victories over their princes are but triumphs over themselves, and so will more unwillingly hearken to changes hereafter. The English nation are a sober people, however at present infatuated. I know not but this may be the last time I may speak to you or to the world publicly. I am sensible into what hands I am fallen; and yet I bless God I have those inward refreshments which the malice of my enemies cannot perturb. I have learned to be busy myself by retiring into myself, and, therefore, can the better digest whatever befalls me, not doubting but God's providence will restrain our enemies' power, and turn their fierceness into his praise. To conclude, if God give you success, use it humbly and be ever far from revenge. If he restores you to your right on hard conditions, whatever you promise, keep. These men who have violated laws which they were bound to preserve will find their triumphs full of trouble. But do not you think anything in the world worth attaining by foul and unjust means."

## NOTE [GG], p. 490.

The imputation of insincerity on Charles I., like most party clamors, is difficult to be removed; though it may not here be improper to say something with regard to it. I shall first remark that this imputation seems to be of a later growth than his own age; and that even his enemies, though they loaded him with many calumnies, did not insist on this accusation. Ludlow, I think, is almost the only parliamentarian who imputes that vice to him; and how passionate a writer he is must be obvious to every one. Neither Clarendon, nor any other of the royalists, ever justify him from insincerity, as not supposing that he had ever been accused of it. In the second place, his deportment and character in common life was free from that vice. He was reserved, distant, stately; cold in his address, plain in his discourse, inflexible in his principles; wide of the caressing, insinuating manners of his son, or the professing, talkative humor of his father. The imputation of insincerity must be grounded on some of his public actions, which we are, therefore, in the third place, to examine. The following are the only instances which I find cited to confirm that accusation: 1. His



vouching Buckingham's narrative of the transactions in Spain. But it is evident that Charles himself was deceived; why, otherwise, did he quarrel with Spain? The following is a passage of a letter from Lord Kensington, ambassador in France, to the Duke of Buckingham, Cabala, p. 318: "But his highness (the prince) had observed as great a weakness and folly as that, in that after they (the Spaniards) had used him so ill, they would suffer him to depart, which was one of the first speeches he uttered after he came into the ship. 'But did he say so?' said the queen (of France). 'Yes, madam, I will assure you,' quoth I 'from the witness of mine own ears.' She smiled and replied, 'Indeed, I have heard he was used ill.' 'So he was,' answered I, 'but not in his entertainment, for that was as splendid as that country could afford it; but in their frivolous delays and in the unreasonable conditions which they propounded and pressed upon the advantage they had of his princely person.'" 2. Bishop Burnet, in his History of the House of Hamilton, p. 154, has preserved a letter of the king's to the Scottish bishops, in which he desires them not to be present at the Parliament, where they would be forced to ratify the abolition of their own order: "For," adds the king, "we do hereby assure you that it shall be still one of our chiefest studies how to rectify and establish the government of that Church aright, and to repair your losses, which we desire to be most confident of." And in another place, "You may rest secure that though perhaps we may give way for the present to that which will be prejudicial both to the Church and our own government, yet we shall not leave thinking in time how to remedy both." But does the king say that he will arbitrarily revoke his concessions? Does not candor require us rather to suppose that he hoped his authority would so far recover as to enable him to obtain the national consent to re-establish episcopacy, which he believed so material a part of religion as well as of government? It is not easy, indeed, to think how he could hope to effect this purpose in any other way than his father had taken; that is, by consent of Parliament. 3. There is a passage in Lord Clarendon where it is said that the king assented the more easily to the bill which excluded the bishops from the House of Peers because he thought that that law, being enacted by force, could not be valid; but the king certainly reasoned right in that conclusion. Three fourths of the temporal peers were at that time banished by the violence of the populace; twelve bishops were unjustly thrown into the Tower by the Commons; great numbers of the Commons themselves were kept away by fear or violence; the king himself was chased from London. If all this be not force, there is no such thing. But this scruple of the king's affects only the bishops' bill, and that against pressing. The other constitutional laws had passed without the least appearance of violence, as did indeed all the bills passed during the first year, except Strafford's attainder, which could not be recalled. The Parliament, therefore, even if they had known the king's sentiments in this particular, could not, on that account, have had any just foundation of jealousy. 4. The king's letter intercepted at Naseby has been the source of much clamor. We have spoken of it already in chapter lviii. Nothing is more usual in all public transactions than such distinctions. After the death of Charles II. of Spain, King William's ambassadors gave the Duke of Anjou the title of King of Spain; yet at that very time King William was secretly forming alliances to dethrone him; and soon after he refused him that title, and insisted (as he had reason) that he had not acknowledged his right. Yet King William justly passes for a very sincere prince; and this transaction is not regarded as any objection to his character in that particular. In all the negotiations at the Peace of Ryswick, the French ambassadors always addressed King William as King of England; yet it was made an express article of the treaty that the French king should acknowledge him as such. Such a palpable difference is there between giving a title to a prince and positively recognizing his right to it. I may add that Charles, when he asserted that protestation in the council-books before his council, surely thought he had reason to justify his conduct. There were too many men of honor in that company to avow a palpable cheat. To which we may subjoin that if men were as much disposed to judge of this prince's actions with candor as severity, this precaution of entering a protest in his council-books might rather pass for a proof of scrupulous honor; lest he should afterwards be reproached with breach of his word, when he should think proper again to declare the assembly at Westminster no Parliament. 5. The denying of his commission to Glamorgan is another instance which has been cited. This matter has been already treated in a note to chapter lviii. That transaction was entirely innocent. Even if the king had given a commission to Glamorgan to conclude that treaty, and had ratified it, will any reasonable man in our age think it strange that in order to save his own life, his crown, his family, his friends, and his party, he should make a treaty with Papists, and grant them very large concessions for their religion? 6. There is another of the king's intercepted letters to the queen commonly mentioned, where it is pre-



tended he talked of raising and then destroying Cromwell ; but that story stands on no manner of foundation, as we have observed in a preceding note to this chapter. In a word, the Parliament, after the commencement of their violences, and still more after beginning the civil war, had reason for their scruples and jealousies, founded on the very nature of their situation, and on the general propensity of the human mind, not on any fault of the king's character, who was candid, sincere, upright, as much as any man whom we met with in history. Perhaps it would be difficult to find another character so unexceptionable in this particular.

As to the other circumstances of Charles's character chiefly exclaimed against—namely, his arbitrary principles in government—one may venture to assert that the greatest enemies of this prince will not find, in the long line of his predecessors, from the conquest to his time, any one king, except perhaps his father, whose administration was not more arbitrary and less legal, or whose conduct could have been recommended to him by the popular party themselves, as a model, in this particular, for his government. Nor is it sufficient to say that example and precedent can never authorize vices ; examples and precedents, uniform and ancient, can surely fix the nature of any constitution and the limits of any form of government. There is, indeed, no other principle by which those landmarks or boundaries can be settled.

What a paradox in human affairs that Henry VIII. should have been almost adored in his lifetime, and his memory be respected ; while Charles I. should, by the same people, at no greater distance than a century, have been led to a public and ignominious execution, and his name be ever after pursued by falsehood and by obloquy ! Even at present an historian who, prompted by his courageous generosity, should venture, though from the most authentic and undisputed facts, to vindicate the fame of that prince would be sure to meet with such treatment as would discourage even the boldest from so dangerous, however splendid, an enterprise.

#### NOTE [HH] p. 504.

The following instance of extravagance is given by Walker in his *History of Independency*, part ii. p. 152. About this time there came six soldiers into the parish church of Walton-upon-Thames near twilight ; Mr. Faucet, the preacher there, not having till then ended his sermon. One of the soldiers had a lantern in his hand and a candle burning in it, and in the other hand four candles not lighted. He desired the parishioners to stay awhile, saying he had a message from God unto them, and thereupon offered to go into the pulpit. But the people refusing to give him leave so to do, or to stay in the church, he went into the churchyard, and there told them that he had a vision wherein he had received a command from God to deliver his will unto them, which he was to deliver and they to receive upon pain of damnation ; consisting of five lights. 1. "That the Sabbath was abolished as unnecessary, Jewish, and merely ceremonial. 'And here,' quoth he, 'I should put out the first light, but the wind is so high I cannot kindle it.' 2. That tithes are abolished as Jewish and ceremonial, a great burden to the saints of God, and a discouragement of industry and tillage. 'And here I should put out my second light,' etc. 3. That ministers are abolished as anti-christian, and of no longer use ; now Christ himself descends into the hearts of his saints and his Spirit enlighteneth them with revelations and inspirations. 'And here I should put out my third light,' etc. 4. Magistrates are abolished as useless, now that Christ himself is in purity among us, and hath erected the kingdom of the saints upon earth. Besides, they are tyrants and oppressors of the liberty of the saints, and tie them to laws and ordinances, mere human inventions. 'And here I should put out my fourth light,' etc. 5. Then, putting his hand into his pocket and pulling out a little Bible, he showed it open to the people, saying, 'Here is a book you have in great veneration, consisting of two parts—the Old and New Testament. I must tell you it is abolished ; it containeth beggarly rudiments, milk for babes ; but now Christ is in glory among us, and imparts a further measure of his Spirit to his saints than this can afford, I am commanded to burn it before your face.' Then putting out the candle, he said, 'And here my fifth light is extinguished.'" It became a pretty common doctrine at that time that it was unworthy of a Christian man to pay rent to his fellow-creatures ; and landlords were obliged to use all the penalties of law against their tenants whose conscience was scrupulous.

#### NOTE [II], p. 534.

When the Earl of Derby was alive, he had been summoned by Ireton to surrender the Isle of Man, and he returned this spirited and memorable answer ; "I

received your letter with indignation, and with scorn return you this answer, that I cannot but wonder whence you should gather any hopes that I should prove, like you, treacherous to my sovereign; since you cannot be ignorant of my former actions in his late majesty's service, from which principles of loyalty I am no whit departed. I scorn your proffers, I disdain your favor, I abhor your treason, and am so far from delivering up this island to your advantage that I shall keep it to the utmost of my power to your destruction. Take this for your final answer, and forbear any further solicitations; for if you trouble me with any more messages of this nature, I will burn the paper and hang up the bearer. This is the immutable resolution, and shall be the undoubted practice, of him who accounts it his chiefest glory to be his majesty's most loyal and obedient subject.—DERBY."

## NOTE [KK], p. 536.

It had been a usual policy of the Presbyterian ecclesiastics to settle a chaplain in the great families, who acted as a spy upon his master, and gave them intelligence of the most private transactions and discourses of the family—a single instance of priestly tyranny and the subjection of the nobility! They even obliged the servants to give intelligence against their masters.—Whitlocke, p. 502. The same author, p. 512, tells the following story: "The synod meeting at Perth, and citing the ministers and people, who had expressed a dislike of *their heavenly government*, the men being out of the way, their wives resolved to answer for them. And, on the day of appearance, one hundred and twenty women, with good clubs in their hands, came and besieged the church, where the reverend minister sat. They sent one of their number to treat with the females; and he threatening excommunication, they basted him for his labor, kept him prisoner, and sent a party of sixty, who routed the rest of the clergy, bruised their bodies sorely, and took all their baggage and twelve horses. One of the ministers, after a mile's running, taking all creatures for his foes, meeting with a soldier, fell on his knees, who, knowing nothing of the matter, asked the blackcoat what he meant? The female conquerors, having laid hold on the synod clerk, beat him till he forswore his office. Thirteen ministers rallied about four miles from the place, and voted that this village should never more have a synod in it, but be accursed; and that though in the year 1638 and 1639 the godly women were cried up for stoning the bishops, yet now the whole sex should be esteemed wicked."

## NOTE [LL], p. 578.

About this time an accident had almost robbed the protector of his life and saved his enemies the trouble of all their machinations. Having got six fine Friesland coach-horses as a present from the Count of Oldenburg, he undertook, for his amusement, to drive them about Hyde Park; his secretary, Thurloe, being in the coach. The horses were startled and ran away; he was unable to command them or keep the box. He fell upon the pole, was dragged upon the ground for some time: a pistol, which he carried in his pocket, went off; and, by that singular good fortune which ever attended him, he was taken up without any considerable hurt or bruise.











